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## "CRÈVE-COEUR."\*

Have you heard the tale of the fort Heart-Break,  
That desolate fort in the west?  
How the brave La Salle, in his weary quest  
For the Father of Rivers, paused to rest,  
Erecting not far from Peoria's lake  
Heart-Break,  
The desolate fort, Heart-Break?

Do you know that he called the fort "Heart-Break,"  
That name full of sobbing and tears,  
While building those walls as a man who rears  
His own sepulchre? Urged on by his fears  
Of famine—failure—he hurried to make  
Heart-Break,  
A fort, or a tomb, Heart-Break?

Oh! their hearts were sad at the fort Heart-Break,  
A comfortless shelter it gave;  
The winter had weakened their souls, once brave,  
And they looked for naught but a lonely grave;—  
Each stone of the fort was a stern heart-ache—  
Heart-Break!—  
A grave by the fort Heart-Break.

\* "When La Salle planned and began to build a fort on the banks of the Illinois—four days' journey, it is said, below Lake Peoria—thwarted by destiny and almost despairing, he named the fort Creve-Coeur (Heart-Break)."—*Bancroft's United States*.

## MAGAZINE OF WESTERN HISTORY.

For Death ever watched by the fort Heart-Break,  
His heralds breathed chill through the air;  
By savages neighbored; burdened with care;  
Oft startled by yells from the panther's lair;  
The slumbering men would horrified wake  
(Heart-Break!)

Alone in the fort Heart-Break.

But they gained fresh strength in the fort Heart-Break,  
La Salle and his venturesome men,  
And started once more for the river when  
The spring with her smile came westward again  
For the beautiful hidden blossoms' sake  
(Heart-Break!)

That bloomed by the fort Heart-Break.

There are many forts like La Salle's Heart-Break,  
Erected in silence and fear,  
By the soul alone in a desert drear,  
Despairing, afar from things that are dear,  
From whose loss the want in the soul will make  
Heart-Break,  
Whose loss makes the stern heart break.

Yet the soul sometimes in the fort Heart-Break,  
Gains courage for dangers ahead;  
To those who have buried their dearest dead  
The future brings nothing worth hope or dread,  
And quietly thus such souls can but take  
(Heart-Break!)

Up life in the fort Heart-Break.

But of all the forts that are called Heart-Break,  
There are none so deserve the name  
As the forts where souls at endurance aim,  
Nor greater their sorrow than others claim,  
But stifle in silence for Joy's own sake,  
Heart-Break,  
And never are called Heart-Break.

JESSIE F. O'DONNELL.



## GONE WEST.

"GONE west," they said, when Erik the Red put out from Iceland with his emigrant fleet of twenty-five sail. He had started a great land speculation, had called his new town, on that natural refrigerator, Greenland, a name so attractive to snow-clad Iceland, and now had sailed for it with his company of adventurers. This is the first western land speculation on record; it is worthy of the smartest western Yankee in its captivating name, and the title-deeds to corner lots for the visionary purchasers bear date of Iceland, A. D. 986.

"At the helm he stands, delighting  
In the tempest's stormy play,  
Now the sheets more close belaying,  
Swifter through the surge he cleaves;  
Westward, further westward, flying  
Lightly o'er the rapid waves."

—*Frithiof's Saga.*

So Eriksford, the first European settlement in Greenland, was made.

There went in the emigrant company one Bardson, whose son was at the time on a viking and trading cruise to Norway. He came home, and, disappointed to find his father gone, soon disappeared himself. To the question, what had become of him, the reply was: Biarne is "gone west." A northeaster drove him past Greenland and Nova Scotia, down to Nantucket.

A son of Erik, Leif, warm and daring with his father's blood and stirred by the rumors of new land that Biarne brought back, pushed off in a frail craft

with a bold crew, and men said of him: "Gone west." He struck the Massachusetts coast at Falmouth and Fall River. This was in the round A. D. 1000.

Two years afterward, through the winter and spring, Eriksford showed unusual activity, centering in Thorwald, another son of old Erik the bloody. By and by he and his vessel are missing, and the neighbors said: "Gone west." So it continued for three hundred years.

Long afterward, with the same mysterious Atlantic ebbing and flowing the while, three little vessels attracted much attention at the wharves of Palos and for three months. One only was decked over, and she carried eight anchors hanging over her sides. By and by one hundred and twenty persons went on board accompanied by the Great Admiral, and they all went off under the horizon, and men whispered in ominous and ghostly tones, "Gone west."

After the discovery of the continent the century glass is turned twice and the sands ran lazily through some years of the second hundred, when three other little vessels bear away from old England, carrying one hundred and five souls into the marshes and malaria of James river, Virginia. It was an aristocratic, unworking, undomestic, financial adventure of so many unmarried men, and the stockholders remarked

hopefully of their pounds and shillings :  
"Gone west."

A decade of years and over ran out, and a few stout men and brave women, with their acorn children—by and by to be live-oak in a ship of state—are braving the courts and prisons and the moors and heaths of their own England, while they watch for flight to a foreign land, as hunted birds hide and flit for cover. The flats of Holland tempt them with some republican virtues and religious liberties, born in the earlier part of the seventy years of terrible struggle with Spain. The first and short flight but tried their wings ; their rest on the Dutch flats was brief ; and rising and striking out, where there was only ocean and sky, and God over all, Europe said of them : "They are gone west."

It was inevitable that for a long time after the planting of the colonies, westward progress into the interior wilderness must be slow, while foot and saddle were the only conveyance, for vehicles were of slow growth and crude. It was not until 1564, in the seventh year of her reign, that Elizabeth had a carriage, and wheels must be scores of years yet in getting a score of miles out of Boston.

"Several years after the settlement of Salem [1628], four men undertook to go from Salem to Boston by land [on foot], an expedition of such difficulty that it had never been attempted by civilized man. They accomplished the journey in four days, and so extraordinary was it deemed that on the next Sabbath they joined in offering a vote of public

thanksgiving and praise for that Guardian Hand which had guided them through the toils and perils of the way and brought them to their homes in safety."\* The distance was sixteen miles !

In 1636 the Rev. Thomas Hooker had gone over a "hazardous way to Kenecticut," with only a compass for guide, and with his company of one hundred men, women and children, and their herds of domestic animals, had commenced the founding of that state. It was a great emigrant band and multitude for those days and full of perils and discomforts, with their ax-men and boatmen and camping. But it was harder and sadder for Robinson and Brewster on Lincolnshire heath and at the mouth of the Humber, when rough officials seized even helpless women and children in the surf, as self-exiled they were embarking for

"Freedom to worship God."

So from the western shores of the old world and from the virgin borders of the new—it is three centuries now—they have been leaving hearths and childhood streams and the grand old hills and fields and elms of their ancestors, and by those left behind the sad refrain is taken up : "Gone west." Through the surf and back over the wild, heaving sea, the words came in return, strong with men's voices and tender with woman's :

"We will give the names of our fearless race  
To each bright river whose course we trace ;  
We will leave our memory with mountains and floods,  
And the path of our daring in boundless woods !  
And our works unto many a lake's green shore,  
Where the Indian graves lay alone before."

\*Rev. Brown Emerson, D.D., Half Century Sermon.

But the Hooker trail called for improvement as emigration increased, and therefore, in 1683, the general court of Massachusetts made this entry on its records:

"Whereas, The way to Kenecticut, now vsed, being very hazardous to travellers by reason of one deepe riuier that is passed fower or fue time ouer, which may be avoyded, as is conceived by a better and nearer way; It is referred to Majo<sup>r</sup> Pynchon in order y<sup>e</sup> sajd way be lajd out and well marked. He hauing hired two Indians to guide him in the way and contracted w<sup>th</sup> them for fiuety shillings, it is ordered that the Treasurer of the County pay the same in Country pay towards the effecting the worke."\*

And still the "western fever" in the young east was impatient for better roads into the new country. In the records of the town of Newton, Massachusetts, for 1687, I find this entry: "John Ward and Noah Wiswall were joined to our Selectmen to treat with the Selectmen of Cambridge to lay out a highway from our Meeting house to the Falls."† It would seem that at that time the road "out west" was opened from old Cambridge only so far as Newton—eight miles, more or less, from the Washington Elm of the next century.

In very early times the Great and General Court of Massachusetts appointed commissioners to lay out a highway from Boston westward through Roxbury and onward. They are credited with re-

porting in due time that they had laid out said highway to a bluff in the wilderness on the Charles river, between its upper and lower falls in Newton, and, in the judgment of the commissioners, as far as a highway westward would ever be needed! The distance from the Boston meeting-house to the bluff is about ten miles!

A friend skilled in colonial history writes to me thus: "My attention was first called to this road about thirty years ago by a Boston gentleman then member of the Massachusetts senate, who informed me that in the archives of the state, and probably on file at the state-house, the report of the commissioners might be found."

That highway has since been extended, and, indeed, in 1880 I found the need of twenty-six hundred and thirty-six miles more of it in going from Boston to Santa Fe, New Mexico, and in 1885 about ten thousand miles in examining the country between the Charles river bluff and Puget sound.

These opening and extending highways became more and more a necessity, for before 1750 many of the older towns in central Massachusetts were settled. In distance and in perils of the way, interior New England was the California of that century, and journeys into it were solemn undertakings, calling for the making of wills and of prayers in the churches and tender farewells. Yet, strange to say, the colonies were not behind their mother in the inconveniencies of travel.

"In 1818 the lord mayor of London said 'he remembered that in 1780 the

\* Records of Massachusetts. Vol. V., p. 394.

† History of Newton, Massachusetts: Colony Records. Vol. I., p. 241.

first stage-coach was established between London and Maidstone, thirty-eight miles; that passing between them the stage was from six o'clock in the morning till eight or nine at night, and those who traveled so formidable a distance used to take leave of their friends about a week before.\*

Two miles and a half an hour! A century before parliament had been importuned to limit the rate of travel by stage to thirty miles a day in summer and twenty-five in winter.

While the cardinal points in interior New England and the other Atlantic states were showing thrifty settlements within one hundred miles of tide-water, the regions beyond the divide and on the eastern side of the Mississippi valley became attractive and tempting to daring frontier-men. The crown grant of six hundred thousand acres to the first Ohio company had come mostly into the Dinwiddie and Washington families in 1748, and as best they could in those times they were opening it to a market, though against much French opposition. The Pontiac war followed the French transfer of the Great Valley in 1763, and the English found their imperial conquest inaccessible on account of Indian hostility. The bold emigrant families retired eastward before the Indians, led by Pontiac, to the old settlements, and did not return to their cabin homes till 1765. Of one hundred and twenty English traders beyond the border, only two or three escaped the tomahawk. A thousand miles of frontier was in terror and flight

and blood, and twenty thousand adventurers were driven back from house and home.

Immediately on the close of the Pontiac war, 1763, a tide of the uneasy, irrepressible American blood set west again. Government agents and troops made the trails safe for families. The valleys of the Ohio and Cumberland and Tennessee drew them onward by fascinating rumors and visions. The "western land fever" ran very high, and Virginia alone, as early as 1754, had granted three millions of acres. Reckless and desperate adventurers crowded also on Indian rights and brought on local border massacres even as to-day.

In 1780 public interest was quite carried away with the passion for new land, and ten years before Virginia had led off in the excitement. Washington, the Lees and others had petitioned for two and a half millions of acres on the Ohio, but though this was denied, the legislature of Virginia granted four hundred acres to any emigrant, conditioned on slight improvements, and one thousand more adjoining at a nominal cost.

Yet the hardships were very great to those founders of American institutions over the mountains. "The early immigrants in the west were compelled to travel on horseback, in single file, carrying their small patrimony and personal effects upon the backs of pack-horses, driven, likewise, in single file." The personal effects were "a frying-pan, or an iron pot, a wheel, a hoe, an ax, an auger and saw, besides a few blankets and bedding. The indispen-

\*See 'Willis' History of Portland, Maine.'

sable portion of each man's personal equipment was his rifle. His shot-pouch and powder-horn were a part of his necessary apparel."\*

The traveling expenses beyond the Alleghanies were a formidable item to these emigrants, if they lived on the supplies of the road. As the revolution of the colonies drew its painful length along, paper money showed one of its boldest phenomena. At the close of 1779 corn beyond the mountains was fifty dollars a bushel, Continental money, and in March following it went up to one hundred and sixty-five dollars, and in June came down to thirty-five dollars. These prices ruled for five hundred miles on that frontier.

In 1780 the court for Ohio county, Virginia, under whose jurisdiction this region then lay, fixed a table of prices which will show what it then cost to "go west." Breakfast and supper, \$4 each, dinner, \$6; lodgings, with clean sheets, \$3; horse and hay for one night, \$3; one gallon of corn, \$5, and of oats \$4; half a pint of whiskey, \$6, with sugar, \$8; quart of strong beer, \$4. In the year following the prices for breakfast and supper went up to \$15 each, and for dinner to \$20. If one were traveling with a large family and paying as he went, he would seem to need a separate pack-horse to carry the greenbacks of those days, specially if he had a long journey and did not make better speed than the stage-coach between London

and Maidstone at that time—two and a half miles an hour.

While the army lay in winter quarters at Newburg (four-score miles below Albany) awaiting the treaty of peace, Washington, with Governor Clinton, made a northern and western tour of seven hundred miles. "Gone west," was the general answer to inquiries at headquarters. He was prospecting, not intentionally, for the Erie canal.

In his early and constant outlook into the west he was the preëminent statesman and ranks among our first pioneer and border-men. In 1754 he had explored to the Monongahela, studying for water-travel from the Potomac to the Ohio. Before the Revolution he urged the Virginia house of delegates to open a route over the mountains. In the year following the peace he made an extended tour into the west and reported to Governor Harrison of Virginia—ancestor of the present President-elect—earnestly recommending National openings into those regions. The Erie canal, the Chesapeake & Ohio and the Baltimore & Ohio railroads are but the adoption of his suggestions. In a far-reaching western interest Washington is a true successor of the Eriks and of Columbus and Raleigh and Winthrop.

The second Ohio company was formed soon after the Revolution closed, by officers in the army, who found it necessary to retrieve wasted or neglected personal interests, and who were willing to enter liberally into civil interests, and who would convert the army certificates, with which govern-

\* Monette's History of the Mississippi Valley, Vol. I., p. 359.



ment had paid them off, into United States land. About two hundred and fifty of these men petitioned congress for an assignment of land in the Northwest territory. Leading among these was General Rufus Putnam of Massachusetts, a friend of Washington, whose good-will and coöperation in this Ohio scheme he won by an able correspondence. Moreover, the project suited Washington as carrying out his theory for utilizing the great west and binding it to the old states and fortifying it, civilly, against the schemes of the English and French and Spanish and Indians.

The Rev. Dr. Manasseh Cutler secured the grant from congress when that body was in session at New York in 1784. For facility and greater success other companies were united in the agency of Dr. Cutler, and he secured nearly five millions of acres. The actual amount granted to the Ohio company was nine hundred and sixty-four thousand two hundred and eighty-five acres, and government securities were turned for it when they were worth in coin about three shillings and sixpence and four shillings to the pound. New York, Connecticut and Massachusetts were then selling their wild lands for about fifty cents an acre.

In April, 1788, the first colonists—forty-eight men—arrived at the mouth of the Muskingum and founded Marietta, having been about three months on the way.

As the colony arrived in advance of its code of government and its officers, they adopted a system of temporary

government, like true Americans, and nailed their by-laws to the trunk of a tree in the camp. In a similar rude way our pioneers have shown their sovereignty and love of law and good sense in later times. They founded civil government in Oregon at a "wolf meeting," called to organize for protection against wild animals, and in California the first American flag was the "Bear Flag"—their emblem of local sovereignty bearing that animal in rude charcoal sketch.

The government which the Ohio company carried over the Alleghanies, and the first that the United States introduced into the magnificent triangle formed by the Ohio, the Mississippi and the great lakes, then called the Northwest territory, had embodied in it certain new ideas and worthy the wide destiny that colony was to have on the west. It introduced the uniform township square of six miles on the side, provided for a reservation of land for educational purposes, and made slavery forever impossible in the territory.

At the beginning of the year 1789 there was not a single white family within the present bounds of Ohio save those in this settlement of the Ohio company. But in eastern Massachusetts and elsewhere the long wagons, with black canvas tops and white lettering, were soon seen headed west, and in 1796 nearly a thousand flat-boats or "broad-horns" passed down the Ohio by Marietta laden with emigrants for a farther west.\*

Dr. Cutler, who secured the Ohio

\* Walker's History of Athens County, Ohio.

land grant, was a pastor of the church in Ipswich, Massachusetts, and he seems to have used for one text for his people the charge of Moses to Naphtali: "Possess thou the west." For in his journal the doctor says: "I sent every man in the parish an invitation to assist me in hauling wood to make wagons for the western country." And when they were ready to take in families and freight for our present magnificent enlargement of the Republic beyond the Alleghanies, he lettered them with his own hand: "To Marietta on the Ohio."

According to the census of 1790 there were about one hundred and twenty-five thousand daring settlers in the valleys of the Kentucky, Green, Salt and Licking rivers, in Kentucky, with some on the Cumberland in Tennessee. In the Valley of the Ohio and on its sources there were about fifteen thousand more. This constituted the frontier beyond the mountains at that time, and the picket towns of the Nation were Portland, Maine; Concord, New Hampshire; Albany and Poughkeepsie, New York; Harrisburgh, Pennsylvania; Harper's Ferry, Richmond; Lynchburg, Virginia; Danville, Kentucky, and Raleigh, North Carolina. Seven of the thirteen confederating states had led off nobly in preparing for this emigration into the northwest, since by their colonial charters they owned through to the Mississippi, or to the "South Sea." Virginia, for example, claimed the vast region northwest of the Ohio and extending up to the lakes and west to the Mississippi. So in a gazet-

teer for 1778, we find this, reading oddly enough to-day: "Chicago, county of Illinois, in the state of Virginia." The outlying territories of these seven states were made over to the coming Union, with certain reservations, and the act inspired emigration to them, when the states moved to open up highways to them—beyond "the falls in Charles river"—and to incorporate industrial and developing companies in them.

In 1784, under the lead of Washington, two companies were organized jointly by Virginia and Maryland for the navigation of the Potomac and James rivers. The survey of Captain Newport of the Jamestown colony, for a ship channel through to the East Indies, was extended, but the Pacific was not discovered! The assembly of Virginia voted unanimously, fifty shares in the Potomac and one hundred in the James River company to Washington for service and interest; a value of about forty thousand dollars, which he courteously accepted, but turned over at once to public educational institutions. Considerations for such services are now sometimes obtained and appropriated differently.

In 1792 one company was incorporated in New York to open navigation from the Hudson to Lake Ontario and another from Albany to Lake Champlain. Of course minor and more local conveniences were provided by private enterprise for those who would extend the travels of Erik and Captain John Smith into the west. One case will stand as typical for the extended traveling frontier of that day. In the year



following the organization of these two New York companies, one Moses Beal advertises to run a stage from Albany through Schenectady to Johnstown and Canajoharie every Friday, being two days on the road each way, with fare at threepence a mile and fourteen pounds baggage. Saratoga trunks were not yet one of our free institutions. The distance was about fifty miles.

Alexander Mackenzie made longer tours of exploration into the west, but he went as a fur-trader and corporator and manager in the largest and most oppressive monopoly, with one exception, that the world has seen. When he started for the Arctic, and again for the Pacific, 1789-93, the fur city of Montreal said of him, "Gone west." He, first of white men, carried a European name across the continent, and there painted it out on the rocky Pacific coast. Not civilized empire and rising manhood followed in his steps, but only half-breeds and steel-traps, for dividends at the London office, in pounds and shillings.

In no single instance, probably, has the western tendency and pressure of European blood so showed as in taking possession of the Louisiana territory. There is not now room enough left in this world for one branch of the human race to take another equal step. Three of the leading nations of Europe had coveted it for empire, and two of them had had it in possession.

With Cook in his last Pacific voyage was one John Ledyard of Connecticut. He afterward, 1785, met Jefferson in Paris, then our minister there, and, first

of Americans, sought through his co-operation to organize a fur company for the northwest coast, but he failed. Fascinated to discover and explore in that outlying region of the world, he started for Behring's straits as a crossing-place by the way of Russia, where he was imprisoned, released and expelled.

For three thousand miles from St. Petersburg to southern Siberia, and one thousand four hundred down the Lena, now of sad Jennette memories, he pressed his way toward that famous northwest. Probably some of the Russian American Fur company secured his arrest and banishment. Back to London, and, as he says, "disappointed, ragged and penniless, but with a whole heart," he was enlisted as a scientific discoverer in an African expedition, and went as far as Cairo. There he again wrote to Jefferson, but in a short time passed on to the discoveries of another world. Then the first endeavor toward our northwest was a failure.\*

Three years later, Jefferson, who had evidently been stimulated by Ledyard, proposed to the American Philosophical Society of Philadelphia to send an exploring expedition across the continent to the Columbia. Captain Meriwether Lewis was of the company, and one Michaux, a French subject, was engaged as botanist. When about to move off into that unknown wilderness, the French government ordered M. Michaux to another field, and so the second attempt to explore that mysterious interior was abandoned.

\*Jefferson's "Life of Meriwether Lewis," "Spark's American Biography." Ledyard.

In 1803 congress attempted to renew and extend the Indian trade, and so projected an expedition to the Pacific overland. Captains Lewis and Clark were to command it, and the instructions were drawn up in April of this year. It was a singular coincidence that on the thirtieth of this same month the treaty was executed at Paris that conveyed the Louisiana territory to the United States. A happy change was at once wrought in the character of the expedition, and it went west to examine our new purchase.

May 14, 1804, the party of forty-four persons broke camp on the Mississippi, opposite the mouth of the Missouri, now Alton, where the punctilious Spanish governor, dissatisfied with the sale, had compelled them to winter, and September 25, 1806, their return boats rounded to at the French, Spanish, Indian and English town of St. Louis. It was a trip of two years, four months and nine days—4,134 miles in going and 3,345 in returning. As Mackenzie had painted his name on a bold Pacific rock, Captain Clark cut his into a pine tree on the beach where the Columbia and Pacific unite.

Grave anxieties were felt for friends in this company who had "gone west," nor was anything heard or known of them during the latter and greater part

of the absence. When at Little Osage island, and within six days of their return, they learned that the general opinion in the states was that they had all perished, and their salute was a total surprise to the village of St. Louis, and all turned out and gave them "a most hearty and hospitable welcome" as to persons supposed to have been dead long since. They had taken a wonderful step into the west, to be followed by others and yet others.

It is not needful to give more details and incidents illustrative of this westward movement of a new nation. With its spirit of progress thus carried to the Pacific, the citation of cases may end. The traditional couplet of unknown authorship expresses the fact with which the last century closed and the present one opened :

"The eastern nations sink, their glory ends,  
And empire rises where the sun descends."

The times, on both sides of the ocean, "the generality of mankind," were full of this idea, as Burnaby states it, "that empire is traveling westward; and everyone is looking forward with eager and impatient expectation to that destined movement when America is to give the law to the rest of the world."\*

WILLIAM BARROWS.

\*Burnaby: 'Travels Through the Middle Settlements of North America in 1759 and 1760,' p. 115.

## A GREAT EVENT OF A CENTURY AGO.

## WASHINGTON'S INAUGURATION AND INAUGURAL.

APRIL 30, 1889: A hundred years ago that day an event of great historical interest occurred in the United States. It was an event of more than common significance, of more than ordinary magnitude, indeed of paramount importance to every citizen of the great Republic soon to be. A century ago that day was written the concluding paragraph, the closing pages, of the first chapter of the civil and constitutional history of this great country. Much of what had been previously accomplished, looking to the organization of constitutional government and the establishment of civil and religious liberty in this country, was chiefly of an introductory or preliminary character. The event when named will be readily recognized by every intelligent reflecting mind as one of no secondary importance to the many millions of American freemen now living, and will certainly be held in the same light and be similarly appreciated by hundreds of millions of patriotic Americans that are to come.

The event I have in mind is one of a hundred years ago, whose occurrence will doubtless be honored by extensive general, if not universal, centennial anniversary celebration in every section of the United States. The event is nothing more nor less than the inauguration of the first President of the United States—of George Washington, the Father of his country—of him “who was first in

war, first in peace and first in the hearts of his countrymen!”

And I herewith enclose his Inaugural Address, being the words that he employed, the language he used, his address word for word as he had written it and had read it on the momentous occasion of his inauguration, when standing at the threshold of the new government about to be fully organized, taking the oath with uplifted hand, to maintain free institutions and popular constitutional government throughout the length and breadth of the great Republic, during the term for which he had been chosen Chief Magistrate by the popular suffrages of his countrymen, as well as by the unanimous vote of the Electoral college, feeling assured that his weighty utterances, impressively and solemnly addressed in person to the distinguished statesmen that constituted the members of both houses of the first congress of the United States then convened in pursuance of the provisions of the Constitution then recently adopted and rendered operative by the requisite number of states, will not only be entirely acceptable to all the readers of the *MAGAZINE OF WESTERN HISTORY*, but that they will all be much gratified to be thus brought into more intimate relations and communion in spirit, not only with the first President of the United States, the immortal Washington, but also, in a sense, with so large a number of his com-

peers and fellow-statesmen, his compatriots of the early era of our Constitutional history, with so many eminent patriots and statesmen of the first decade of the post-revolutionary history of our country, conspicuous among them being Benjamin Franklin, Thomas Jefferson, John Adams, Alexander Hamilton, Charles Carroll, Samuel Adams, James Madison, John Jay, Edmund Lee, Robert Morris, Richard Henry Lee, Philip Schuyler, Henry Knox, Roger Sherman, John Hancock, Henry Lee, Gouverneur Morris, Charles Lee, Rufus King, Francis Lightfoot Lee, Fisher Ames, John Witherspoon, Jonathan Dayton, Oliver Ellsworth, Robert Livingston, Edward Rutledge, Frederick Augustus Muhlenberg and others scarcely less eminent, who a hundred years ago to-day were charged with the exalted mission of establishing and organizing popular government and free institutions in this highly favored land, men who were engaged in the noble work, yea, the grand enterprise, of putting in motion in the then great Republic in embryo, the machinery of "a government of the people, by the people and for the people." Doubtless the reproduction, the republication, of the grand inaugural of the first President of the United States, a hundred years after it was first given to the world, would on this auspicious centennial occasion be hailed with delight by the successors, the fellow-patriots and countrymen of the organizers and promoters of constitutional government, and the no less zealous friends of civil and religious liberty of to-day. Its re-appearance now would give pleasurable emotions to many loyal hearts, multitudes of whom perchance may have had no other

opportunities to read it in these latter days. Later on in the year 1789, and some months after the promulgation of his Inaugural Address, the important duty of appointing his cabinet officers devolved upon President Washington, and he considered, and with his usual judgment and characteristic deliberation and good sense, discharged that duty with the following result, to-wit:

SECRETARY OF STATE—Thomas Jefferson of Virginia.

SECRETARY OF THE TREASURY—Alexander Hamilton of New York.

SECRETARY OF WAR AND OF THE NAVY—Henry Knox of Massachusetts.

ATTORNEY-GENERAL—Edmund Randolph of Virginia.

POSTMASTER-GENERAL—Samuel Osgood of Massachusetts.

Further along in the present year it will be in order for all loyal Americans to engage in the centennial anniversary celebration of one of the important official acts of President Washington, namely, the appointment by him of his first constitutional advisers, a hundred years ago.

The acts of the first congress, which provided for organizing the several different departments of the government, were not all passed on the same day; hence they bore different dates, and hence also the different times of their appointment, and dates of the commissions of the respective heads or chief officers, as follows:

Thomas Jefferson of state department, September 26, 1789.

Alexander Hamilton of the treasury, September 11, 1789.

Henry Knox of the war and navy, September 12, 1789.

Edmund Randolph, attorney-general, September 26, 1789.

Samuel Osgood, postmaster-general, September 26, 1789.

The inauguration of John Adams, the first vice-president of the United States, took place on the twenty-first of April, 1789, when he delivered his inaugural address to the United States senate.

But I must forbear to continue in palpable violation of the proprieties of this centennial anniversary occasion and no longer withhold the first Inaugural Address of the first President of the United States:

PRESIDENT WASHINGTON'S INAUGURAL ADDRESS TO BOTH HOUSES OF CONGRESS, APRIL 30, 1789.

*Fellow-citizens of the senate and of the house of representatives:*

Among the vicissitudes incident to life, no event could have filled me with greater anxieties than that of which the notification was transmitted by your order and received on the fourteenth day of the present month. On the one hand I was summoned by my country—whose voice I can never hear but with veneration and love—from a retreat which I had chosen with the fondest predilection, and, in my flattering hopes, with an immutable decision, as the asylum of my declining years—a retreat which was rendered every day more necessary, as well as more dear to me, by the addition of habit to inclination, and of frequent interruptions in my health to the gradual waste committed on it by time. On the other hand, the magnitude and difficulty of the trust to which the voice of my country called me being

sufficient to awaken in the wisest and most experienced of her citizens a distrustful scrutiny into his qualifications, could not but overwhelm with despondence one who, inheriting inferior endowments from nature, and unpracticed in the duties of civil administration, ought to be peculiarly conscious of his own deficiencies. In this conflict of emotions all I dare aver is, that it has been my faithful study to collect my duty from a just appreciation of every circumstance by which it might be effected. All I dare hope is, that if, in executing this task, I have been too much swayed by a grateful remembrance of former instances, or by an affectionate sensibility to this transcendent proof of the confidence of my fellow-citizens, and have thence too little consulted my incapacity, as well as disinclination, for the weighty and untried cares before me, my error will be palliated by the motives which misled me, and its consequences be judged by my country with some share of the partiality in which they originated.

Such being the impressions under which I have, in obedience to the public summons, repaired to the present station, it would be peculiarly improper to omit, in this first official act, my fervent supplication to that Almighty Being who rules over the universe, who presides in the councils of nations, and whose providential aids can supply every human defect, that His benediction may consecrate to the liberties and happiness of the people of the United States, a government instituted by themselves for these essential purposes; and may enable every instrument employed in its administration to execute, with



success, the functions allotted to his charge. In tendering this homage to the Great Author of every public and private good, I assure myself that it expresses your sentiments not less than my own, nor those of my fellow-citizens at large less than either. No people can be bound to acknowledge and adore the invisible hand which conducts the affairs of men more than the people of the United States. Every step by which they have advanced to the character of an independent nation seems to have been distinguished by some token of providential agency; and in the important revolution just accomplished in the system of their united government, the tranquil deliberations and voluntary consent of so many distinct communities from which the event has resulted, cannot be compared with the means by which most governments have been established, without some return of pious gratitude, along with an humble anticipation of the future blessings which the past seems to presage. These reflections, arising out of the present crisis, have forced themselves too strongly on my mind to be suppressed. You will join with me, I trust, in thinking that there are none under the influence of which the proceedings of a new and free government can more auspiciously commence.

By the article establishing the executive department, it is made the duty of the President "to recommend to your consideration such measures as he shall judge necessary and expedient." The circumstances under which I now meet you will acquit me from entering into that subject, further than to refer to the great constitutional charter under which you are

assembled, and which, in defining your powers, designates the objects to which your attention is to be given. It will be more consistent with those circumstances, and far more congenial with the feelings which actuate me, to substitute, in place of a recommendation of particular measures, the tribute that is due to the talents, the rectitude and the patriotism which adorn the characters selected to devise and adopt them. In these honorable qualifications I behold the surest pledges, that as on one side no local prejudices or attachments, no separate views nor party animosities, will misdirect the comprehensive and equal eye which ought to watch over this great assemblage of communities and interests, so, on another, that the foundations of our National policy will be laid on the pure and immutable principles of private morality; and the preëminence of free government be exemplified by all the attributes which can win the affections of its citizens and command the respect of the world.

I dwell on this prospect with every satisfaction which an ardent love for my country can inspire. Since there is no truth more thoroughly established than that there exists, in the economy and course of nature, an indissoluble union between virtue and happiness; between duty and advantage; between the genuine maxims of an honest and magnanimous policy, and the solid rewards of public prosperity and felicity; since we ought to be no less persuaded that the propitious smiles of heaven can never be expected on a nation that disregards the eternal rules of order and right, which heaven itself has ordained; and since the preserva-

tion of the sacred fires of liberty and the destiny of the republican model of government are justly considered as deeply, perhaps as finally, started on the experiment entrusted to the hands of the American people.

Besides the ordinary objects submitted to your care, it will remain with your judgment to decide how far an exercise of the occasional power delegated by the fifth article of the Constitution is rendered expedient at the present juncture, by the nature of objections which have been urged against the system, or by the degree of inquietude which has given birth to them. Instead of undertaking particular recommendations on this subject, in which I could be guided by no light derived from official opportunities, I shall again give way to my entire confidence in your discernment and pursuit of the public good; for I assure myself that while you carefully avoid every alteration which might endanger the benefits of a united and effective government, or which ought to await the future lessons of experience, a reverence for the characteristic rights of freemen, and a regard for the public harmony, will sufficiently influence your deliberations on the question, how far the former can be more impregnably fortified, or the latter be safely and advantageously promoted.

To the preceding observations I have one to add, which will be more properly addressed to the house of representatives. It concerns myself, and will, therefore, be as brief as possible.

When I was first honored with a call into the service of my country, then on the eve of an arduous struggle for its

liberties, the light in which I contemplated my duty required that I should renounce every pecuniary compensation. From this resolution I have in no instance departed. And being still under the impression which produced it, I must decline, as inapplicable to myself, any share in the personal emoluments which may be indispensably included in a permanent provision for the executive department; and must accordingly pray that the pecuniary estimates for the station in which I am placed may, during my continuance in it, be limited to such actual expenditures as the public good may be thought to require.

Having thus imparted to you my sentiments, as they have been awakened by the occasion which brings us together, I shall take my present leave; but not without resorting once more to the benign Parent of the human race, in humble supplication, that since He has been pleased to favor the American people with opportunities for deliberating in perfect tranquillity, and dispositions for deciding with unparalleled unanimity on a form of government for the security of their union and the advancement of their happiness, so His divine blessing may be equally conspicuous in the enlarged views, the temperate consultations and the wise measures, on which the success of this government must depend. — GEORGE WASHINGTON.

ISAAC SMUCKER.

[Mr. Smucker's idea makes good use of the space taken for its elaboration. The Inaugural Address is well worth quotation at this time; and of reading and remembering at all times.—EDITOR.]



## THE MINNESOTA HISTORICAL SOCIETY.

THE territory of Minnesota was created by an act of congress, approved March 3, 1849, and the first session of its legislature assembled at St. Paul on September 3 of the same year. The fifth act passed by that body was entitled "An act to incorporate the Historical Society of Minnesota," and was dated October 20, 1849. Thus the society, a sketch of whose career I attempt to give in this paper, sprang into existence almost coeval with the birth of the commonwealth of Minnesota itself, and is consequently the oldest institution in the state.

The act of incorporation declared that "C. K. Smith, David Olmsted, H. H. Sibley, Aaron Goodrich, David Cooper, B. B. Meeker, A. M. Mitchell, T. R. Potts, J. C. Ramsey, H. M. Rice, Franklin Steele, Charles W. Borup, D. B. Loomis, M. S. Wilkinson, L. A. Babcock, Henry Jackson, W. D. Phillips, Wm. H. Forbes, Martin McLeod and their associates, be and they are hereby constituted a body corporate and politic, by the name and style of," etc. These nineteen men were among the most prominent citizens of the territory at that date, and almost every one of them occupied high official positions in the territorial or state governments, either then or subsequently. Of the entire nineteen, only four, Messrs. Rice, Sibley, Loomis and Wilkinson, are now living.

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The moving spirit in the formation of the society was Charles Kilgore Smith, then territorial secretary of state, a man of much activity and ability, though he made some bitter political enemies subsequently, and did not hold his office long.\* He was very active in promoting the success of the society for some two years, during which he was its secretary. The incorporators organized at a meeting held November 15, 1849, at which Governor Alex. Ramsey was chosen president, and remained such for thirteen years consecutively.

The fact that such an institution was organized at the very beginning of society in this state, which in older states had only been the outgrowth of time and wealth and culture, was a matter of surprise to those not familiar with the energy with which western men, in the very first stages of society, provide themselves with the institutions of older communities. James Watson Webb, the eminent journalist, of New York, in commenting on the fact, said, "that there is nothing too flattering to predict of the future greatness and prosperity of a people who commence to write their history as soon as the foundations of their commonwealth are laid."

It was not, however, a very encourag-

\*A full memoir of Mr. Smith will be found in Volume II: 'McBride's Pioneer Biography,' published in 'The Ohio Valley Historical Series.'

ing prospect for an institution of that kind. The population of St. Paul was not over four or five hundred, and there were but three or four other towns in the territory, which was then almost entirely occupied by the Indians, whose title to the soil had not been extinguished. The entire population of Minnesota was perhaps not over fifteen hundred white inhabitants. These were mostly poor settlers, and in the struggle for bread and butter in a new country, still a wilderness, had but little means and no leisure to cultivate æsthetics, or study philosophy or history. Consequently, the development of the society was very slow for the first few years. In 1858 there were only four hundred and forty-one volumes in the library, and those of minor value.

The first annual meeting of the society was held January 1, 1850, at which Rev. Edward Duffield Neill delivered the historical address (given in the first volume of the society's collections), which, with other papers, was published soon after, and aided greatly in introducing the society to the attention of scholars abroad.

One great want which the society experienced in those days was a proper place for its meetings, and for the preservation of its "library" and curiosities. While C. K. Smith was secretary of the territory, the meetings were generally held in his office, and he took care of the society's collections. It was not until November, 1855, that a room was provided for the use of the society in the new capitol, and it has enjoyed the use of apartments in the state-house

ever since that date, excepting for a few months at a more recent period.

In 1851 an important contribution to philology was secured through the coöperation of the society, viz.: the 'Grammar and Dictionary of the Dakota Language,' written by Rev. S. R. Riggs, assisted by Rev. Messrs. G. H. and Samuel W. Pond and Dr. T. S. Williamson, the missionaries to the Sioux. The cost of printing the work and its necessarily small sale would have been an insuperable barrier to its publication, had not this society, by means of committees appointed for that purpose, procured subscribers enough to justify the expense of the work, and thus gave to our aboriginal literature this valuable contribution. It forms Vol. IV. of the 'Smithsonian Contributions to Knowledge.'

Honorable C. K. Smith having left the territory in November, 1851, Rev. E. D. Neill was chosen as secretary of the society in his place, and at once commenced active exertions to place the society on a successful footing, and to collect all possible material for the history of Minnesota. A considerable portion of the published collections of the society from that time to 1864 was written by him, and during some ten years his services to the society as secretary were of the highest value.

The means of the society were very limited during this period (1850-56). The membership was small, and the amount which could be secured from annual dues did not allow of much outlay except for the barest necessary expenses—printing, postage, etc. No books were purchased for some years

after this period, but many good ones were donated. Meantime the annual meetings of the society had been regularly held in public, important and valuable papers read and addresses delivered, which, with other contributions concerning the early history of Minnesota, were published in pamphlet form during the years 1850, 1851, 1852 and 1853, and circulated as widely as the means of the society would permit.

During this period we find the names of the following gentlemen mentioned in the minutes as among the most active members: Rev. E. D. Neill, H. H. Sibley, Henry M. Rice, Charles E. Mayo, Colonel D. A. Robertson, Alexander Ramsey, George L. Becker, Aaron Goodrich, Peter Berkey, R. R. Nelson, J. W. Bond, Thomas Foster, Parker Paine, Theodore French, W. G. Le Duc and William Hollinshead. Several of the above are still active members.

In 1855 the improved condition of the society seemed to call for some special exertions to provide a building for its use. One necessary preliminary step was to secure a site. This was accomplished by the sale of sixty-two life memberships, at twenty-five dollars each, and two very eligible lots on the northwest corner of Wabasha and Tenth streets were purchased for fifteen hundred and thirty-one dollars. To Colonel Daniel A. Robertson is due the credit of conceiving and carrying to a successful conclusion this scheme, which, though its expected benefits were not immediately realized, was an important move for the society, as the property is now valued at fifty thousand dollars.

Important legislation was secured at the session of 1856. An amended charter for the society was passed which gave it additional powers and privileges, and firmly established it as an institution of the state. An executive council of twenty-five members was created. The legislature also authorized an annual grant of five hundred dollars to the society to aid it in carrying on its work, and a joint resolution was also adopted requesting Rev. E. D. Neill, secretary of the society, to prepare a compilation of materials for the 'History of Minnesota,' of which fifteen hundred copies were ordered printed.

The rapid increase of population about this time, and also the sudden enhancement of value (*i. e.*, the supposed value) of real estate, and the ease of the money market consequent on the speculative mania which was prevailing, having the appearance of a real increase of wealth, led the society to the belief that money enough could be raised by subscription to erect a building on their property, and, perhaps with too little deliberation, it was resolved to commence the same. On June 24, 1856, the corner-stone of the proposed hall was laid with Masonic and military ceremonies. An oration was pronounced by Lieutenant M. F. Maury, United States Navy, and a number of distinguished guests were in attendance. A procession, composed of all the civic societies of St. Paul and other towns in the territory, with a military escort composed of Captain Thomas W. Sherman's celebrated light battery from Fort Snelling, marched through the principal

streets, forming a holiday *fete* of considerable magnificence. The foundation walls of the building were completed and there work ceased, and was never resumed, after a debt of several hundred dollars had been incurred, which was not liquidated for several years. The whole movement seems to have been premature and ill-advised. No mode of raising the fifteen thousand dollars necessary for the building had been determined on; not a cent subscribed towards it, nor had a plan for the building even been adopted. The inflated condition and ease of the money market at the date mentioned had led the members of the society to believe that the means necessary could be raised without trouble. This would probably have been the case, but before any further funds were secured, the financial revulsion of 1857 supervened, and all further effort to complete the building was abandoned.

In the summer of 1857, the capitol building caught fire and narrowly escaped destruction. Some loss occurred to the society's collections by the haste in which they were removed. One of the books injured at that time was a second time damaged, in the fire of March 1, 1881.

In January, 1858, William H. Kelley, esq., a very accomplished gentleman and a thorough antiquarian, was appointed actuary of the society, for want of which officer but little progress had hitherto been made in collecting a library, but which now rapidly increased. Mr. Kelley was in daily attendance at the rooms, and put successful measures

in operation to attract gifts and secure coöperation. It had been the intention that his salary should be partly defrayed by collections of membership fees. The annual fee for members was at that date five dollars. But the period of the severest financial stringency, following the panic of 1857, now set in. Everybody felt the pressure severely, and in this condition of things, new members were secured very slowly. To add to the troubles of the society, the state appropriation of five hundred dollars annually, owing to the depreciation of the treasury warrants, scarcely brought more than fifty cents on the dollar in current money. In view of these facts, Mr. Kelley, after a year or so, gave up the work which he was carrying on with such promise, and the doors of the society were closed to the public. Even the small appropriation granted by the state was withdrawn, and not renewed until 1864, when the finances of the state had become more bright.

This suspension of its work at a period when so much could have been done with adequate means, a period so fraught with historic events, was a very serious injury to the society. It was absolutely left without means to pay a postage bill. Its membership was small, and composed of men affected severely by the monetary stringency. Besides, it would have been difficult to have raised money for an institution which had practically ceased work. Mr. Neill, Colonel D. A. Robertson, Governor Ramsey, Charles E. Mayo, Mr. A. J. Hill and one or two other devoted ones were about all who attempted to



carry on the society's work during this discouraging period. During 1858 and 1859 there appear to have been no formal meetings of the executive council, or, at least, none are recorded. In 1860 a public annual meeting was held, and an address delivered by Lieutenant-Governor Ignatius Donnelly; and in January, 1861, an annual meeting, at which Honorable James W. Lynd made the address. A memorandum in the record book here states, "No meetings for three years!"

The breaking out of the Civil war was a further blow to the society. Rev. E. D. Neill, its faithful and devoted secretary, was appointed a chaplain, and resigned his office, not returning to the state for eight or nine years afterwards. Mr. A. J. Hill enlisted in the service, and was absent for three years. Both of these gentlemen, as opportunity offered, bore the society in mind during their absence, and sent to it original historical papers, which were subsequently published, but the society itself was practically dead.

Towards the close of 1863, several members, among them D. A. Robertson, William R. Marshall, William H. Kelley, Peter Berkey, Charles E. Mayo and A. H. Cathcart, resolved on an effort to resuscitate the society, and the meetings were resumed. Several gentlemen interested in historical pursuits were elected to membership, among them, Captain Russell Blakeley, Rev. John Mattocks, Rev. S. Y. McMasters, R. O. Sweeny, D. W. Ingersoll, J. Fletcher Williams, etc., all of whom became active workers. Thus reinforced, the

society took a fresh start. Governor Ramsey having been elected to the United States senate in February, 1863, Honorable H. M. Rice was chosen president, and Charles E. Mayo, secretary. As there was no room suitable for meetings in the capitol, for some months the society met in the rooms of the St. Paul library. Meantime, its collections were still stored in one of the rooms of the capitol. The state legislature of 1864 renewed the annual appropriation of five hundred dollars, and the society began once more to move on its way successfully. From this time on, the meetings were held regularly. Mr. George W. Fahnestock, a Philadelphia gentleman, then residing temporarily in St. Paul, made the society liberal gifts of money and books, which aided it greatly.

The annual meeting in 1867, and the period closely following it, witnessed still further accessions to the working roll, among them George A. Hamilton, Rev. John Ireland, Josiah B. Chaney, Henry P. Upham, John D. Ludden and others; while Mr. A. J. Hill, "home from the wars," and Judge Goodrich, returned from Brussels after an absence of several years, again took their places in the ranks. General H. H. Sibley was chosen president, and J. Fletcher Williams secretary and librarian. From this period dates the most successful era of the society.

Mr. Williams was a native of Cincinnati, Ohio, where he was born September 25, 1834. He graduated at the Ohio Wesleyan university in 1852, and came

to St. Paul in 1855, where he engaged in journalism. Having always had a great fondness for the study of history, especially that relating to the west, this naturally led him to writing articles for the daily papers on which he was employed, about the early history of Minnesota, and he thus became intimately acquainted with most of its pioneers and early settlers, whose reminiscences he was endeavoring to secure. When the Minnesota Historical society was resurrected in 1864, he joined it and became one of its most zealous members. When elected secretary and librarian, in January, 1867, he was still engaged in the laborious and exacting duties of a city reporter, and had but little leisure for the actual work of the society, or opportunity to be in attendance at its rooms. But as an offset to this, his duties led him to visit and converse with a number of persons daily, and this gave him an excellent opportunity to press the claims of the society, to increase its membership, to solicit gifts for it, and to further its objects generally, and also to keep the society and its objects prominently before the public by frequent allusions thereto in the columns of the daily journals. All these efforts bore good fruit, and the collections of the society and its roll of active and paying members increased rapidly. In the annual report of the secretary, read January 20, 1868, he presents this encouraging outlook :

"Never, during any previous year of the society, have we made such rapid, solid and substantial progress as this year. Indeed, in some respects, we

have accomplished more than in all the previous career of the society. Our members have largely increased ; our library and cabinet have almost doubled ; our exchange list has been enlarged and made to yield us valuable returns ; our finances have been greatly improved ; our list of correspondents and donors more than trebled ; an interest and pride awakened in the society among all classes of our citizens ; our effectiveness greatly increased by means of standing committees, who have been appointed for the first time this year ; through the repeated publication of our proceedings by the press of the state, the name of the Historical society has become familiar to all our citizens, where a few months ago it was almost unknown ; while our meetings, once slimly attended and frequently without a quorum, are now too large for our limited rooms to accommodate." This year also began the purchase of books for the library, which has been systematically kept up ever since.

This encouraging picture showed the necessity of better facilities for carrying on the work of the society. It was resolved that a vigorous effort should be made to secure apartments in the state capitol again, which the society had ceded on account of the crowded condition of the building. The only available room seemed to be in the basement. This was as yet unoccupied and unfinished. On looking it over, it was found that very suitable and commodious rooms could be prepared there, and an outlay for this purpose was so ordered by the legislature of 1868. This

was a great gain to the society and enabled it to advance faster than ever. Its library and museum now began to make a fine appearance and were visited more largely than formerly. The rapid increase of the work attached to the office of secretary and librarian severely taxed the time of that officer, as he was still pursuing his profession of journalist, and could only give to his historical society work such leisure as he could snatch from his newspaper duties, and this without any compensation from the society. Ultimately this became so onerous that Mr. Williams found that he would be compelled to withdraw from official work for the society; but the other members were unwilling to permit this, and it was suggested that some steps be taken to induce the legislature to increase the annual allowance to the society, so as to employ his entire time for its work. At the next session (1869), this was proposed and met with no opposition, an act being passed allowing the society two thousand dollars per year to pay all its expenses. This was an important event in the history of the society, as it was the commencement of that liberal patronage, on the part of the state, which has enabled the society to achieve such splendid success. Mr. Williams withdrew from journalism in April, 1869, and has since that time devoted himself entirely to the work of the society.

The following years were years of gratifying prosperity for the society. Its membership increased, its income was enlarged from year to year by the state, until it now receives an annual

grant of six thousand dollars; the library grew rapidly both by purchase and gift, and the publication of its collections was continued steadily. Its printed annual (and, more lately, biennial) reports show a continual and rapid advance in all departments of its work. Twice its apartments were increased by additions made to the capitol, and still seemed too small for the growing collections of the society. The executive council had, in the meantime, been increased to thirty members.

But in the year 1878, a cloud arose in the sky, which seemed for a time to be fraught with portentous consequences to the society. Judge Aaron Goodrich, a charter member, and for some years an active worker of the society, conceived the idea that the latter had been organized and carried on in an illegal manner, contrary to the intent and meaning of its charter. In short, that the charter conferred powers and rights and membership only on the nineteen incorporators named in that instrument, and on successors to such of them as should die, to be chosen by their survivors, the number to never consist of more than nineteen; and that in consequence the action of the society in electing other members by ballot during nearly thirty years, and conferring on them the right to participate in the management of the society, was illegal, and not contemplated by the framers of the law. It is somewhat curious that Judge Goodrich never broached this surprising theory at a meeting of the society, although he attended them regularly, nor did he ever



speak of the matter to any of the active members, but he went secretly to work to call a meeting of the surviving incorporators, seven in number, whom he informed that if two or more of them should die, it would reduce the number of members of the society to less than a quorum, and the organization and chartered rights would lapse. Consequently, he asserted, it would be necessary for them to elect successors to those who had died since 1849. His statements regarding this having been accepted by them without investigation, the action advised by him was taken, and a list of members which the judge proposed was so elected, composed mostly of his personal intimates. Among them were some who had never been members of the society, and had shown no interest in it. Articles of incorporation were drawn up by them and filed with the secretary of state. Their publication in the journals next day was the first intimation which the other members had of the action taken.

Thus it came about that there were two bodies, or organizations, each claiming to be the legal and genuine "Minnesota Historical Society." An effort was made at once to adjust the difference between the two contestants, but this was found impossible. Matters went on thus for some months. Great efforts were made by the members to prevent publicity of these disagreements, but of course this could not be successful long, and the newspapers soon published exaggerated and incorrect accounts of the contest. The legislature finally brought the disputants to a

settlement, by enacting that the state appropriation should only be given to that party which should establish its rights before the courts. The old organization then proceeded to bring an action of *quo warranto* in the supreme court of the state against the new claimants. After some months that court filed a decision, that the respondents had no grounds for their claim and that they be ousted from jurisdiction. This decision was generally acquiesced in and the whole controversy was soon forgotten by both parties. It might be proper to say here that it did not in the least interfere with the work of the society, which went on as successfully as ever, and there was complete cordiality of feeling between the two wings.

Twice the society celebrated anniversaries of events connected with the settlement of the northwest. On May 1, 1867, it formally celebrated the one hundredth anniversary of the visit of Captain Jonathan Carver to the Cave, now within the limits of St. Paul, and his treaty with the Indians there. These proceedings were afterwards published. On July 4, 1880, the society also celebrated, at St. Anthony's falls, the two hundredth anniversary of the discovery of said falls by Father Louis Hennepin. Addresses were made and poems read, a collation served, etc., and the entire proceedings were very interesting to the immense crowd assembled.

From time to time had been agitated, by the society, the question of erecting its long-contemplated fire-proof library building, a measure imperatively needed, in view of the presence of such a

valuable collection as the society owned, in an inflammable building like the state capitol. Its destruction by fire was frequently predicted and always feared. On March 1, 1881, at nine o'clock P. M., the fatal hour came! The capitol was found to be on fire in the dome. Both houses of legislature were in session, and a large crowd of spectators in attendance. Vigorous efforts were made at once by the latter to save the valuable library of the Historical society. The doors and windows leading to the society's apartments were thrown open, and soon two or three score of men were busily engaged in carrying out armfuls of books and depositing them on the seats of the Universalist church near by. Thus, in an hour, before the fire penetrated to the society's rooms, almost every book and pamphlet belonging to its library were safely carried out. The contents of two inner rooms (mostly duplicates) were destroyed, together with all the book-cases and some other property. It was almost miraculous how the splendid library of the society was saved with but little loss, and no damage to speak of. Much of the cabinet, however, was lost—stolen, probably. Apartments were at once furnished the society in the newly finished market house of the city, and the library was moved into it and rearranged. In a few weeks all was running again smoothly. The apartments were dark, damp and unhealthy, but the society got along very fairly there for two years, and made some progress, until in April, 1883, when the new capitol building was completed, and

the library moved thither again, into very much the same apartments which the society had occupied before the fire. The insurance companies meantime had paid the society eight thousand five hundred and eighty-five dollars in payment of its losses.

As soon as the library could be again arranged, the work of cataloguing it in a superior manner began, and was not completed for two years. The next step was the printing of the catalogue, which also consumed some time, and was not completed until April, 1888. The entire cost of the catalogue was eight thousand five hundred dollars.

During this period, the society received some accessions of members, whose names appear frequently on its minutes as active workers, viz., General John B. Sanborn, Charles E. Flandrau, E. F. Drake and W. P. Clough. Of the thirty members of the executive council, fourteen have been active members and constant attendants for twenty-two years, and some for a still longer period. The *personnel* of the executive council has changed less than almost any other body in the state.

The publications of the society have been continued from time to time during its career, until they now amount to five octavo volumes, containing an aggregate of two thousand one hundred and ninety-seven pages of valuable matter relating to the history of the state and the northwest. All (but one) of these volumes have excellent indexes.

In 1867 the society began the purchase of books for its library, expending that year seventy-three dollars and

fifty-nine cents, procuring twenty-eight volumes, and has steadily continued it to the present time. During 1888 the sum of three thousand six hundred and thirty-two dollars and sixty-one cents was expended. In that period (twenty-two years) twenty thousand five hundred and ninety-four dollars and forty-two cents in all have been expended for this purpose, adding seven thousand three hundred and one very valuable volumes to its shelves. As a collection of *Americana* it will rank high and is becoming quite complete. The society is steadily purchasing all the works which are offered on American history, state, county, or town histories, genealogies, biography, explorations, travels, the Rebellion, Indians, atlases, maps, etc. In newspapers it has a very fine collection, numbering one thousand six hundred bound volumes, mostly Minnesota journals, from the organization of the territory to the present date. These are kept in a fire-proof apartment. In genealogy it possesses six hundred and fifteen separate works relating to American families. Its collection of congressional publications and archives reaches back half a century. Altogether, the library now comprises sixteen thousand one hundred and ninety-two bound, and thirteen thousand eight hundred and forty-nine unbound volumes; total, thirty thou-

sand and forty-one volumes. It has, in addition, three hundred and fifty maps, one thousand archæological and historical curiosities, a number of manuscripts, a few oil paintings, and a number of portraits of pioneers and public men of the state. All their collections are rapidly increasing.

The society has at present one hundred and sixty-five life members. Its officers for 1889 are as follows: President, General Henry H. Sibley; vice-president, first, Honorable Alexander Ramsey; second, Captain R. Blakeley; secretary and librarian, J. Fletcher Williams; assistant secretary and librarian, Josiah B. Chaney; treasurer, Henry P. Upham.

The society is now actively petitioning the legislature for an appropriation of at least fifty thousand dollars to erect a fire-proof library building on the property now owned by it. Should this measure succeed (and if it should fail at the present session, it certainly will pass at the succeeding one), the society will find itself as well equipped for its work as any similar institution in the country, and a career of renewed and increased usefulness will open before it. It may also reasonably expect bequests and endowments from wealthy men interested in its objects.

J. FLETCHER WILLIAMS.

## NANTUCKET AND THE WHALE-FISHERS.

## II.

In a former paper\* the history of the whale-fishery, as viewed from this little island in the western Atlantic, and as made by her sons, was briefly given, and some incidents related of the hardships bravely met and endured in this, one of the most perilous of all means of obtaining a livelihood. To-day Nantucket, when in a reminiscent mood, can furnish many a startling tale, and when the winds are high and the storms sweep in from the

great waste of waters, the listener among sailors and fishers and whalers can learn of deeds and sufferings that would be marvelous, did one not know that they were true. And one of the surest ways of portraying the life thus hinted at is to find it as seen through the experiences and adventures of some of these brave men who have spent the greater portion of their lives upon the sea.

## CAPTAIN WILLIAM CASH.

Among the brave men whose lives were spent upon the stormy seas, in the midst of dangers that could be faced day by day only because they were familiar, and who made the name of the American whaler a synonym for courage and devotion to duty the world over, was William Cash, who spent the main portion of his life upon the vessel decks, and passed through many experiences of the most thrilling and trying character. He came of a seafaring ancestry, his grandfather, William Cash, being a whaler, who was killed by a whale on the first voyage in which he had assumed the duties of master. He was a resident of Nantucket, and besides leaving a wife left also three children, two daughters and one son, Alexander Cash. The greater part of the life of the latter was

spent on Nantucket, but as his wife, Hannah Higgins, was a native of Mattapoisett, he passed some time at Mattapoisett. He was a rope-maker by occupation, and died on August 20, 1838.

His son, William Cash, was born at Mattapoisett, Massachusetts, on April 11, 1816. The love of the sea was strong upon him from early childhood, and there was no question in his mind as to his choice of an occupation when the time came for him to commence the real work of life. When he was but sixteen years of age he went upon the ship *Catharine* of Salem, Captain Henry Paddock, on a whaling voyage, which extended over a period of four years, and proved to be one of events and striking adventures. While at Valparaiso, Captain Paddock was shot by the natives. Mate Goodrich then took

\*December, 1888.



command and the vessel proceeded upon her voyage, only to fall a victim to the flames and to burn to the water's edge at sea. The crew were compelled to take to their boats, but were luckily near Honolulu, to which place they repaired. From there young Cash sailed as foremast-hand on the ship *Peruvian* of Nantucket, in command of Captain Benjamin Cogswell, on which vessel he returned to Nantucket, arriving on September 29, 1835. In the following June he shipped as boat-steerer on the ship *Edward Quesnell* of Fall River, Captain William Wood. The voyage extended over a period of thirty-five months. A successful strike had been made, and the ship was homeward bound with a heavy cargo and light hearts aboard when misfortune of the most dire character suddenly overtook them. They were off Montauk point, Long Island, and within twenty-four hours or less from the home port, when, by fault or accident, the ship was grounded at daybreak. A boat was immediately sent ashore with a line, and as the ship was rapidly going to pieces, all efforts were directed to saving the lives of the men. The second boat, in which young Cash took passage, in attempting to make shore by the line, was overturned in the surf, and of the eleven aboard only four were saved, of whom he was one. The cargo was not a total loss, some part of it being regained from the grasp of the greedy sea. This unexpected method of return home occurred in May, 1839; and on July 8 of the same year he celebrated a great event in life by his marriage to Miss Azubah B. Handy of Cotuit Port, Barnstable, Massachusetts. The two had first met when Captain Cash was home

from his preceding voyage, and he had hardly set foot ashore, after his happy escape from the wreck, before he sought out the one whose image had been with him all through the long voyage and made his possession sure. They were married at the bride's home, and there she remained with her parents while her husband went down again to front the perils of the sea. In October he shipped with the same captain with whom he had made the preceding voyage, but this time as second mate, and in the ship *Ganges* of Fall River. After they had been to sea for some three days the vessel was discovered to be in a leaky condition and unseaworthy, and they were compelled to return to Newport for repairs. They again put to sea in the following December and set sail for the Pacific ocean. On the way around Cape Horn they had secured about two hundred and fifty barrels of sperm-oil and put into the port of Talcahuana, Chili; and while lying there the vessel took fire and burned to the water's edge. The fire was supposed to be the work of an incendiary, but if so the culprit was never discovered. He was thus left without a ship, but secured a berth on the *Milton* of New Bedford, Captain Robert Tuckerman, master, serving in the same capacity of second mate. This voyage extended into the North Pacific, off the northwest coast of North America, in the search for right-whales. It proved to be a successful one, and they returned laden with a rich cargo. He arrived home in March, 1842, having been absent twenty-six and a half months. On his return he was greeted by a little fledgeling in the home nest, his son, Alexander G., having been born on May 9, 1840.

On May 28 of the same year, 1842, he sailed as chief mate of the same vessel, the *Milton*, this time with Captain Lewis as master. This voyage was similar to the one preceding, in the fact of being fairly prosperous, and in the same waters. It lasted twenty-three months and some days. It was not marked by any extraordinary event, and in that respect was an event in the whaling experience of Captain Cash. The vessel arrived home in May, 1844. On July 17 of the same year he once more set sail in the same vessel for the whaling-grounds, but this time as master of the vessel. This voyage was extended over a period of more than thirty months, arriving home in April, 1847. His next voyage was as master of the ship *Gideon Howland* of New Bedford, and covered a period up to April, 1850. It was successful, or, as the idea was expressed by sailors in those days, a lucky cruise. After a few months of home quiet and comfort, he again shipped, this time as master of the ship *Columbia* of Nantucket. She sailed from Edgartown on October 1, 1850, and on this voyage Captain Cash was accompanied by his wife and son, who was now a sturdy lad of ten. The wife, during the above absences of her husband, had been keeping house in Nantucket since 1844.

The winds were brisk and the waves boisterous from the start, and when twenty days out and off the island of Flores, a typhoon was encountered, which lasted several hours and proved trying to the vessel and the courage of those aboard, as she was in dangerous waters and narrowly escaped destruction. She outrode the gale, however, through the excellent

seamanship of Captain Cash and his crew, notwithstanding the fact that both wind and current were driving them with almost resistless force directly toward the dangerous shoals and cliffs of the island; for when the storm subsided and day broke, it was found that they were within three miles of the merciless breakers. They had lost several boats and sustained considerable damage, but escaped without loss of life or serious injury to the vessel. After facing several severe gales and experiencing rough weather almost continuously, they arrived safely at Hilo, Hawaii. Here Mrs. Cash disembarked, and here she remained until Captain Cash's return from his cruise. Leaving Hilo, he sailed northward to the Arctic, where he remained some seven and a half months, or from March to October. Upon his return he was greeted by a second son, born August 20, and named William Murray. Mrs. Cash again went aboard the vessel, and they cruised New Zealand and from there to the Okhotsk sea. During this cruise two exceedingly severe gales were encountered, in which they narrowly escaped destruction. On one occasion, when there was a perfectly calm sea and no indication of wind or storm, a huge sea came rolling in upon them, breaking over the deck; and this was the first indication of what proved to be one of the most severe and perilous storms encountered in this more than ordinarily stormy voyage. The vessel was only saved by pouring oil, to the extent of some fifty barrels, upon the waters, which broke the force of the tremendous seas and prevented the decks from being swept. They returned to Hawaii in the following

November, having been absent just one year. Here Captain Cash placed his cargo aboard another vessel, and after cruising that winter around the islands, decided upon another trip to the north. Leaving Mrs. Cash again at Hilo, he sailed once more to the Okhotsk sea. This voyage proved to be yet another of great peril. The vessel was caught in the ice and the rudder broken so as to be useless. It was taken on board, and finally they succeeded in repairing after a fashion, so that they could manage to steer the vessel by an arrangement of chains attached from the quarter-deck to the rudder, and in this way managed to reach Hilo after an absence of nine months. After recruiting at Honolulu, Captain Cash took his family on board and set sail for home. When about a month out, in a gale of wind, the rudder gave way, and had to be taken on deck and again repaired, but it placed them for twenty-four hours in a heavy sea, rudderless, and at the mercy of the winds and waves. They finally outrode the storm, and after a most adventurous voyage anchored in the harbor of Nantucket, thus ending the stormiest and most unlucky cruise Captain Cash ever sailed. Their anchor in the home harbor was cast on May 26, 1854.

Captain Cash remained on shore for a year from the following fall, and in November, 1855, once more set sail, in command of the ship *Citizen* of Nantucket. He cruised off the coast of Chili, making his port at Talcahuana. They cruised for sperm-whales entirely, and did not go into the northern oceans. The cruise lasted until July 4, 1859, when once more the little sandy island off the Massachu-

setts coast, which held his home and loved ones, was once more reached, and the long absence was at an end. He remained at home until June, 1862, when he again sailed, as master of the bark *Islander*, of which he was part owner. Their voyage was similar in the main to the preceding one and was very successful; and particularly so in view of the fact that oil was very high, and that he owned a considerable share in the vessel, the profits from which were received in addition to his salary as master.

This was Captain Cash's last voyage. He determined to abandon the sea, feeling that he had well earned a rest, and that he had secured a sufficiency of the world's goods to keep him and his in comfort; and while he had great love for his family, he had little for the dangers and hardships incident to a whaler's life. He made investments at various times in various ships, but none of them proved of great success. He lived a life of quiet retirement, finding his chief enjoyment in the society of the estimable lady whom he had chosen for his wife, in the companionship of his friends and the love of his children. Of the latter there were now four—two sons and two daughters.

Captain Cash entered heartily into the interests of his home, becoming a director of the Savings bank, and serving as a selectman of the town for several years. He died on February 8, 1882, respected by all who knew him, for his sterling qualities of head and heart, his directness, courage, honesty and industry, and for the brave manner in which he had fulfilled every duty that life presented to his hand.



## CAPTAIN ROBERT M'CLEAVE.

Another worthy representative of this hardy class was Captain Robert McCleave, who also lived a life of toil upon the seas, and was permitted to spend the quiet evening of his days amid the peaceful scenes of home, where the love of his family and respect of the community were numbered among the rewards earned by his long season of toil. He was a native of Nantucket, where he was born on April 3, 1809, the son of Joseph and Sarah McCleave. He was not only given a good common school education, but the advantages of private tutorship as well, so that notwithstanding the meagre advantages afforded on his native isle, his natural bent for study allowed him to acquire a fair education for his day and environment, which acquisition was of great advantage to him in after days. As the people about him were altogether seafaring, and as he had been reared in a community where the achievements of the sailors and the whale-fishers were counted as among the worthiest and greatest open to ambition, young McCleave naturally turned his face, as so many Nantucket boys before him had done, toward the sea, and longed to emulate the deeds and face the perils of which his childhood days had heard so much. It is hardly necessary to say that this ambition received a general encouragement; and, accordingly, in 1824, when but fifteen years of age, he made his first voyage in the ship *Loper*, Captain Obed Starbuck, master. The vessel left Nantucket on December 8 of the year named, and returned home on October 19, 1826, after an absence of twenty-two months and ten days. From thenceforth

his life for many years was spent almost altogether upon the sea, and although the record of his various voyages, as learned from a glance at Captain McCleave's journal, is brief and meagre enough, it is needless to say that all along that series of voyages are scattered many scenes of exciting and daring adventure, and many wonderful escapes from storm and flood, that would make a graphic chapter of whaling life, could they have been gleaned from the lips of the modest man who met them so bravely, and yet who has left so little record concerning them. His second voyage was made upon the *Loper*, with Starbuck still as master, but with young McCleave advanced to the post of boat-swain. They were absent from June 22, 1827, to January 10, 1829, or eighteen months or over, and brought home with them two thousand one hundred and forty-six barrels of sperm-oil, which the journal of Captain McCleave tells us was disposed of at the price of seventy-five cents per gallon. The voyages that succeeded, with the results thereof, as recorded in the journal, may be gleaned in the following brief lines:

Third voyage: Ship *Rambler* of Nantucket, William Wörth, master; sailed June 27, 1829; arrived February 22, 1832; absent 31 months, 24 days; turned out 2,144 barrels sperm-oil; sold at 70 cents per gallon. This voyage as third mate.

Ship *Rambler*, Thomas Derrick, master; sailed June 17, 1832; arrived April 4, 1835; absent 33 months, 15 days; turned out 1,700 barrels sperm-oil; sold at 70 cents. This voyage first mate.

Ship *Rambler*, Robert McCleave, master;

sailed September 10, 1835; arrived August 24, 1838; absent 35 months, 15 days; turned out 2,246 barrels sperm-oil; sold at 87 cents per gallon. This voyage as master.

Ship *Rambler*, Robert McCleave, master; sailed December 13, 1838; arrived November 10, 1842; absent 46 months, 28 days; turned out 1,550 barrels sperm-oil; sold at 60 cents per gallon.

Ship *Rambler*, Robert McCleave, master; sailed July 13, 1843; arrived May 25, 1847; absent 46 months, 12 days; turned out 1,700 barrels oil; sold 95 cents per gallon.

His next voyage was as master of the ship *Richard Mitchell* of Nantucket. She sailed from Nantucket, Thursday, August 31, 1848, and returned August 31, 1852; 1,758 barrels sperm-oil; sold at \$1.25 per gallon. Took forty-seven whales.

Ship *Oliver Crocker* of New Bedford, Robert McCleave, master; sailed September 21, 1854; arrived October 1, 1858; absent 48 months, 10 days; turned out 1,918 barrels sperm-oil; sold for \$1.23 per gallon.

Captain McCleave, in the same document, sums up his record in these words: "Sailed eighteen years in the ship *Rambler* of Nantucket. Performed five voyages sperm whaling to the Pacific ocean, three voyages out of the five as master; was at home in the time twenty months. Sailed nine voyages to the Pacific ocean, sperm whaling in all; five out of the nine as master. Followed the seas twenty-

seven years after marriage; spent five years and ten months at home in the time." In all, he followed the seas thirty-four years, in which time he was at home but six years and two months.

After his retirement from the sea, Captain McCleave lived a quiet life, engaged in no active pursuit, and content to rest in the consciousness that his long absences and fatiguing labors were at an end. He was earnestly entreated to make other voyages, but declined. He still, however, retained an interest in various vessels. He became interested in the administration of local public affairs, becoming chairman of the board of selectmen; was an attendant of the Methodist church faithfully through many years. He was married in 1829 to Eliza Ann Chase, daughter of Job and Ruth Chase of Nantucket. Three children were born to them, Henry P., Nancy W. and Alexander B. The wife was a birthright member of the Society of Friends. The affection between her husband and herself was deep and devoted, while his love for his home was intense, and only a sense of duty to those dependent upon him enabled him to bear the absence of the long voyages that his life occupation made necessary. Captain McCleave was, in every regard, a man of solid worth; dignified, high-minded and honorable, and one who inspired, as his actions ever justified, the implicit confidence of the people among whom his life was passed. He died on April 14, 1878.

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#### CAPTAIN CHARLES C. MOOERS.

Yet another of that brave and hardy class whose achievements have become almost a matter of the past in view of the advent of steam, the modern methods of

navigation and the decline of whale-fishery, is Captain Charles C. Mooers, who was born at Nantucket on October 13, 1818, the son of William and Lydia Mooers. The father was a native of the state of Maine, whence he removed to Nantucket while a boy, and began life on a whaler while quite young. He made a number of voyages, and finally became mate of the ship *Leander*, Captain Coffin, and afterwards master of the schooner *Betsy*. Among the many adventures of his stirring career, was an encounter with pirates off the Cape De Verde islands. He quit whaling about 1823, and was engaged for some years in the merchant service; and upon retiring, passed the remainder of his days upon the Island of Nantucket.\*

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\*It must be of this William Mooers, of whom history makes the following statement: Scarcely had the echo of the hostile guns of the Revolution died away, scarcely had the joyful news of peace reached their ports, when the whalemen began to equip anew for their fishery. The *Bedford*, just returned to Nantucket from a voyage, was immediately loaded with oil and dispatched to London, arriving in the Downs on the third of February. Her appearance was thus chronicled by an English magazine of that day: "The ship *Bedford*, Captain (William) Mooers, belonging to the Massachusetts, arrived in the Downs the third of February, passed Gravesend the fourth, and was reported at the custom-house the sixth instant. She was not allowed regular entry until some consultation had taken place between the commissioners of the customs and the lords of council, on account of the many acts of parliament yet in force against the rebels in America. She is loaded with 487 butts of whale-oil; is American built; manned wholly by American seamen; wears the rebel colors, and belongs to the Island of Nantucket, in Massachusetts. This is the first vessel which displayed the thirteen rebellious stripes of America in any British port. The vessel lies at Horseley, down a little below the Tower, and is intended immediately to return to New England."

Charles C. Mooers was given the advantages of a common school education until about fourteen years of age. He then commenced to learn the cooper's trade, which he followed for some two years. But the love of the sea and his father's example were strong upon him, and in July, 1835, before he was yet eighteen years of age, he threw down the tools that he was learning to handle so well, and went out upon the ocean to seek his fortune in the perils and exciting ardor of whale-fishery. He shipped on the ship *Mary* of Nantucket, Captain Thomas Coffin, for a voyage of about forty-five months' duration. Upon returning home from this long absence, he was content to remain upon land only three months, when he shipped again on the same vessel, for a voyage of the same duration. They cruised in the Pacific ocean, along the South American coast and among the Society and Friendly islands. Upon his first voyage he went as cooper's mate, and as boat-steerer upon the second.

His next engagement was upon the *Maria* of New Bedford, Captain Joshua Coffin, and was with him two voyages, as third mate and as mate. He then took command of the *Maria* himself for two voyages, on the Pacific and Indian oceans. His vessel was then very old and leaky, and met with very moderate success. He then sailed as master of the ship *Iowa* of

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Of one of Captain Mooers' crew upon this voyage, this interesting anecdote is related: He was hump-backed, and one day a British sailor met him, and clapping him upon the shoulder cried out, "Hello, Jack, what have you got here?" "Bunker Hill, and be d—d to you," was the quick reply, "will you mount?"

Fair Haven, which had formerly been in the merchant service. The cruise was off New Holland, and the result was fairly prosperous.

Captain Mooers then took charge of the ship *Kathleen* of New Bedford. The cruise was of three years' duration, mostly in the Indian ocean and off New Holland, the result being a very fair voyage. His last was as master of the *Sea Queen*, was also fairly successful, and lasted some three years. He then became interested in other matters on shore, and gave up the life of a whaler altogether. He had spent between thirty-five and thirty-six years upon the deck of a whaler, and felt that he could well allow those of a younger generation to take his place. Something of the privations of the life he had lived so long may be gleaned from the fact that he had been as long as twenty-seven months without hearing a word from home, and that a letter, a newspaper or communication six months old was regarded as quite fresh news. Captain Mooers, in this long service, met with

what he is pleased to denominate the usual casualties pertaining to the business of whaling, but no serious accident. He was always a successful man, and has followed no active pursuit since retiring from the sea in 1869, except speculation in lands, etc. In 1846 he was married to Harriet P., the daughter of Timothy Gardner of Nantucket. By this marriage there was one son, Charles H. Mooers, now living in Brockton, Massachusetts, where he is engaged in tack manufacturing. Mrs. Mooers died in 1864, and in 1865 Captain Mooers was married to Leonora Soule, widow of George Soule of South Abnington.

Captain Mooers has been too busy in scenes of active adventure to care much for public life or the disturbance of public questions, although a close and interested observer of all current events of state and National interest. In politics he gives his adherence to the principles of the Republican party.

SEELYE A. WILLSON.

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#### JOHN MELVIL SHAW.

In the fall of 1851, the subject of this sketch, a lad of seventeen years, arrived with his parents, sisters and brother at Galena, Illinois. The family had left Exeter, Maine, the birth-place of all the children, designing to settle near the Falls of Saint Anthony. But navigation having closed the day before

they reached Galena, they were obliged to pass the winter in that city.

Ere spring, the father had changed his plans as to location, and identified himself with the "Farm and Homestead Association," a society newly organized in New York city. Upon the opening of navigation, he hastened





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to the town site chosen by the society at the mouth of the Rollingstone, six miles from the present city of Winona, placing his two sons upon a claim he had taken up just below St. Paul.

The Rollingstone enterprise, which had originated in the brains of inexperienced city men, proved disastrous. Mr. Shaw, one of the first to recognize its futility, was about to leave the place, when his hitherto vigorous constitution succumbed to sudden illness, of which he died in the prime of his years, July 14, 1852.

The two sons, who had reached him only in time to receive his last counsels and his dying blessing, rejoined the rest of the family in Galena, where they remained for the next ten years. The eldest of these sons was John Melvil; the younger, then a lad of nine years, as Major George Kittredge Shaw, afterwards served honorably in the Union army, and is now widely known in Northwestern journalism.

The untimely death of the husband and father left the family, which had removed to the West on account of financial losses, without the means of carrying to completion his well-conceived plans, or ability to hold the lands in which he had invested the last remnant of a once prosperous fortune—lands which have since become valuable.

During all these years, the widow and her children faced the world with no capital save honest purpose and a resolve to use to the utmost the talents God had given them. In this struggle with fortune, which at the first only two

of the six children were old enough to share, John Melvil, as the eldest son, naturally bore the brunt. His life in Galena, an open book known and read of all, bore no stain upon its pages. His aims were high, his heart was pure. The hours snatched from his duties as accountant were given to study, which was often prolonged into the midnight hours. He read the best books, he chose the best associates.

Galena was at that time a wide-awake, prosperous town, with a remarkably intelligent and enterprising population. The old city's greatest pride to-day is in a past rendered illustrious by the noble children she has sent forth to win honor in civic and military life. No city bore a prouder record in the War of the Rebellion. From Grant, the great leader, to the humblest private in the ranks of her soldier sons, all did her undying honor. No town in our country of the size of Galena, has produced so many men who have won distinction in the different walks of life.

Several of its youths who with "young Shaw," as he was then popularly called, entered the stage of active life to make their own way unaided, were to achieve National reputation. Among these may be mentioned his intimate friend and associate, John A. Rawlins, whose professional and military record belong to history, and Moses Hallett, now, as for many years, judge of the United States District Court of Colorado. Others of his close associates of this period achieved brilliant success in business life. Of these we recall that genial gentleman, the late Phillip McQuillan,

who afterwards became a leading citizen of St. Paul, and is reckoned among those through whose energy and foresight, that city has attained its present rank, as being jointly with Minneapolis, the metropolis of the great Northwest.

Though good blood is an accident of fortune, and is as nothing to worthy deeds, still none will fail to endorse that saying of Lamartine, "Happy is the man who, by God's grace, is born of a good family."

On the paternal side, John Melvil Shaw comes of sturdy English stock, from a race of honest, self-respecting yeoman, who, some two centuries ago, settled in New Hampshire. His grandfather fought with honor through the whole War of the Revolution, and lived beyond the age of ninety, an energetic, God-fearing citizen, who sought to rear his large family of sons and daughters in those principles which had been the guide of his own life.

His maternal grandfather, Benjamin French, a beloved and honored physician, traced back his lineage in this country to Thomas French, one of the first pilgrims of the colony of Massachusetts Bay, who founded in New England a family which has produced many notable men and women. On the maternal side, the subject of our sketch also reckons his descent from Rev. Joseph Hull, graduate of Oxford university and rector of Devon, who, in 1621, emigrated to Massachusetts. His bent for the law seems an inherited trait, as his family annals contain the names of one noted chief-justice and four lesser jurists of ability and repute.

His father, John Shaw, was a man of sterling character—a man of that fearless, uncompromising sort, who could no more be moved from his convictions of duty than a rock from its base. He stood in the van of the temperance and anti-slavery movements, aiding with voice, pen and money, those causes then so unpopular. To a logical mind and a vigorous intellect, he united a literary faculty, which, so far as the engrossing pursuits of a mercantile life allowed, he cultivated, numerous articles from his pen appearing in the *National Era* and other advanced publications of that day. This faculty has been inherited by his children, some of whom have achieved literary success.

Upon his arrival at the Rollingstone, he planted the first orchard in Minnesota. The 'Minnesota History of Horticulture' recognizes him as the pioneer who solved the question of fruit culture in that state, and devotes an appreciative chapter to his memory, in which he is paid high tribute both as a man and a citizen.

The son of whom we write, inherits his father's positive yet kindly qualities, with traits of a more ideal sort derived from his mother, a lady of deep, poetic nature and rare beauty of character. Not long before her death at the age of three-score and ten, she said of this son, that he had never given her an unkind or unfilial word.

In the spring of 1862, John M. Shaw left Galena, where he had been for a short period only, a practicing attorney, and located in Platteville, Wisconsin, where he entered into a law partner-

ship with John G. Scott, a young man of about his own age, and of rare accomplishments and ability. The prospects of the firm seemed bright, when a new call for troops being issued, both partners felt impelled to forego all personal interests, and rush to the defense of the imperiled country. Mr. Shaw was exempt from military service on account of a slight defect in the sight of one eye, but at a moment like this, he desired no exemption from what he held to be a sacred duty. When the Twenty-fifth Wisconsin regiment left for the seat of war, the two law partners went with it; John G. Scott, who had been authorized to recruit the company, as captain of Company E, and John M. Shaw as second lieutenant. Mr. Shaw's address to the regiment on that occasion, is still remembered as a masterpiece of impassioned, stirring and patriotic oratory. Upon the death of Captain Scott, which occurred the next year, and the resignation of the first lieutenant, Lieutenant Shaw became captain of the company.

General J. M. Rusk, now governor of Wisconsin, and a man of National reputation, was then in command of the Twenty-fifth regiment. He thus gives Captain Shaw's military record:

"John M. Shaw was commissioned second lieutenant of Company E, Twenty-fifth regiment, Wisconsin Volunteer infantry, September 9, 1862, and was mustered in September 14, 1862. He was detailed as A. A. Q. M. and A. A. C. S., at Paynesville, Minnesota, October 1, 1862; was relieved and reported to company for duty at Madison, Wisconsin, on the

seventeenth of February, 1863. Was detailed as judge-advocate of general court-martial at Columbus, Kentucky, February 25, 1863; relieved December 10, 1863. Detailed on board of examiners for officers of Thirteenth Tennessee, December 12, 1863; relieved January 21, 1864; reported to regiment for duty at Vicksburg, Mississippi, February 2, 1864. Was with his company on the march from Vicksburg to Meridian, Mississippi, and back to Vicksburg; thence up the Mississippi and Tennessee rivers to Waterloo, Alabama. Assumed command of company as second lieutenant at Waterloo on the third day of April, 1864. Was promoted captain May 3, 1864. Was in command of company during entire campaign from Chattanooga to Atlanta, at battles of Resaca, Dallas, Kenesaw Mountain, Nickajack Creek, Decatur and Atlanta and Jonesboro. Commanded company on march from Atlanta to Savannah, Georgia; thence to Pocataglio, South Carolina; thence through South and North Carolina to Goldsboro; at battle of Salkehatchie Bridge, North and South Edisto rivers, Orangeburg and Bentonville, and all skirmishes and actions in which the regiment was engaged during the entire march. He was detailed as acting provost-marshal and judge-advocate of First division, Seventeenth Army corps, April 6, 1865, at Goldsboro, North Carolina; relieved and reported to regiment for duty May 27, 1865, at Washington, D. C. Was mustered out with his company at Washington, June 7, 1865.

"He served his country with ability

and fidelity for the full term for which his regiment was in the service, and was a brave soldier and accomplished gentleman, performing every duty imposed upon him with honor to himself and to his command."

At the battle of Atlanta, on the twenty-second of July, 1864, fifty per cent. of the men of Company E were killed, wounded or captured. It was Captain Shaw's good fortune to go through the service unscathed, excepting that his health was seriously impaired by unusually severe exposure during the latter part of the campaign in the Carolinas.

Upon the fall of Atlanta, he was granted a month's furlough, and proceeded to Minneapolis, where September 27, 1864, he married Miss Ellen A. Eliot, daughter of Dr. J. S. Eliot, a Minneapolis pioneer. The lady of his choice was a native of his own section of Maine, and had been a school-mate of his boyhood. As maiden, wife and mother, she has ever been a most amiable and lovable woman.

His professional career is thus outlined by Judge William Lochren, now upon the bench of the Fourth judicial district of Minnesota, a gentleman who, both as lawyer and judge, has achieved a reputation second to none in the West, and who has been for more than twenty years, socially and professionally, his intimate friend and associate:

"Mr. Shaw's education was obtained in the common schools at his home, supplemented with academic preparation to enter college, which was prevented by the death of his father, de-

volving upon him, while still a mere boy, the principal care of the family, and the necessity of engaging in remunerative employment. But his habits of study and love of intellectual pursuits continued unabated, and produced such store of general and exact information as is seldom acquired with the help of the most liberal and extended education. With his varied studies in spare hours during this period, Coke, Blackstone and other law treatises were investigated with such thoroughness that a single year's exclusive study and work in a law office brought admission to the bar, and in 1860 he began the practice of law at Galena, Illinois. Soon the War of the Rebellion broke out, and for a while the conflict between his desire to enter into his country's service in the field and his ambition to rise in his chosen profession kept him uncertain as to his immediate future. But in 1862, having removed to Wisconsin, his patriotism overcame all other impulses and considerations, and he enlisted in the Twenty-fifth regiment, Wisconsin volunteers, serving until the close of the war, as stated in another part of this sketch.

"At the close of the war in 1865, he came to Minnesota, and in February, 1866, opened a law office in Minneapolis. His ability, rectitude of conduct and agreeable social qualities were soon recognized. They brought friends and clients, so that in a short time he had good practice, and was advancing rapidly to the front rank of the able bar of Hennepin county. The year following, Minneapolis became a city, and as city



attorney, Mr. Shaw did much toward framing the system of ordinances that still remains. In 1868 he formed a partnership with Judge Franklin Beebe, which brought increase of business. Upon Judge Beebe's retirement from active practice in 1875, Mr. A. L. Levi took the vacant place, and Willard R. Cray came in as partner four years later. These were years of very laborious and successful work. On the elevation of F. R. E. Cornell, in 1874, to the bench of the supreme court, Mr. Shaw became the recognized leader of the Hennepin county bar, and there was scarcely any important litigation in the county in which he was not retained and actively engaged. On the death of Judge Cornell in the spring of 1881, he was regarded by all as the fittest to succeed that able jurist, and was offered by Governor Pillsbury the appointment of justice of the supreme court of the state. That this offer came unsought, and solely in recognition of his ability and fitness for this high place—usually the limit of the ambition of the most aspiring lawyer—is evident from the fact that, greatly to the regret of his friends and brethren at the bar, and solely because he preferred the active work of his profession, he at once declined the appointment. This work had become so extensive and exacting as soon to overtax his strength. Finding his health seriously endangered, he was induced in the beginning of the year 1882 to accept a vacant place on the bench of the district court of the Fourth judicial district of the state, which includes Hennepin

county; and at the ensuing general election, was chosen to that office by unanimous vote of the people, for a full term of seven years. Though very popular as a judge, his love for active work at the bar was so controlling that early in 1883 he resigned, and resumed the practice of law with Mr. Cray, his former partner. Later, Judge James I. Best became a partner, and for a time the firm name was Shaw, Best & Cray. It now consists of Messrs. Shaw & Cray, and has a very large and lucrative practice.

"Judge Shaw is still in the prime and vigor of mature manhood, with all the characteristics that bring men to eminence in professional life. His unswerving integrity, perfect fairness and courtesy in practice, his genial manners and cordial good-nature, endear him to his associates; while his breadth of information, especially in all branches of the law, and his studious and laborious habits give him perfect mastery of his cases. These traits of character, with his remarkable power of analysis, illustration and close logical reasoning, make him a most formidable antagonist in any forensic contest, whether before court or jury. Although notably fair and considerate in his treatment of honorable opponents, a case of palpable fraud, chicanery or oppression will bring upon the head of the offender such torrents of scathing invective as few care to encounter.

"For many years he was counsel for the Minneapolis & St. Louis Railway company, the Minneapolis Mill company and other large corporations, in

respect to all important contracts and litigations. For the last twenty years, there has hardly been a civil cause of great importance in our courts in the trial of which he has not taken a prominent part. The Pinney Will case, the Washburn Will case and the King-Remington litigation are among those of the last half of that period.

"His briefs exhibit the most exhaustive research, and are models of compact logical analysis and the purest English style; as are also his written decisions while on the bench. Though many of these decisions were appealed from, none were reversed.

"While always taking an active part in enterprises for public improvement and an intelligent interest in public affairs, he has ever avoided office, and never allowed politics to trench upon the time he so sedulously devotes to professional work."

We may add to this record, brief mention of a somewhat notable litigation, a few years ago, that of Drennen *et al.* against a large number of insurance companies in the United States courts, involving about seventy-five thousand dollars of insurance, in which Mr. Shaw was leading counsel for the plaintiffs in their endeavor to enforce payment of the policies.

The plaintiffs were defeated in the circuit court by the ruling of Judge Samuel F. Miller, directing a verdict for the defendant. The well-known ability and vigor of this jurist seemed to render the cause of the plaintiffs almost hopeless. The test case was appealed the supreme court of the United

States by the plaintiffs' counsel. The decision of the circuit court was reversed, and the cause sent back for a new trial. Upon the second trial, the plaintiffs recovered judgment, and the case was again appealed by the defendant. Upon the last appeal the judgment below was affirmed, and the whole insurance was finally collected.

As a member of the Grand Army of the Republic and of the Loyal Legion, Judge Shaw still cherishes and honors the traditions of the War for the Union, rejoicing that in the crisis of the Nation's existence, he was numbered among those who periled life and all that life held dear, for the preservation of the Union.

Entering heartily into all the business, social and humanitarian interests of his city and state, no man is better known among his fellow-citizens, none more respected. His hand and heart are "open as the day to melting charity," but his charities are unobtrusive. A Republican in creed and an effective and oft sought platform speaker, he for the most part avoids the tumult of the political arena. While taking an interest in all vital questions of the day, he prefers the practice of his profession to the fatigues of office and the uncertain honors of public life.

Judge Shaw is now in the prime of his years and usefulness. The health that had become impaired by too close application, is fully restored. The possessor of a competence honorably won, he lives in a beautiful, hospitable home, surrounded by an interesting family of two daughters and a son.

"Aid thyself and heaven will aid thee," is a maxim worthy to be written in letters of gold. There is no royal road to success; it is the outcome of earnest effort, the crown of laborious days.

The life thus hastily and imperfectly sketched, is a lesson and an incentive

to the youth of our country—a country which bars no path to industrious, aspiring merit, and which offers ample room for the deserving, in those places of trust and honor to which none are too poor or too humble to aspire.

J. K. C. SLEEPER.

Boston, Mass.

### ANECDOTES OF AMERICAN POLITICS.

On the night before Andrew Jackson was to leave the White House forever and Martin Van Buren was to be sworn in as President of the United States, the old warrior might have been seen standing in the middle of his bed-chamber floor pulling at a corn-cob pipe filled with strong tobacco. Seated in the room were three of his most intimate friends—Chief-Justice Taney, Senator Forsythe of Georgia and Senator William Allen of Ohio. Jackson was restless, and after moving about for some time he turned to his guests and said: "Gentlemen, I think the occasion will warrant me in breaking over one of my own rules. Let us drink a little Madeira."

When each had partaken of the wine, Jackson sat down and finished a letter he had been writing. When it was completed and sealed he again took up his pipe and smoked it, meanwhile keeping his eye fixed on the dial of the old-fashioned clock that stood in one corner of the chamber. Perfect silence reigned in the room. Suddenly the hammer fell upon the bell with twelve clear strokes, and when the last was heard

the hero of New Orleans said, with a short, nervous laugh: "Gentlemen, I am no longer President of the United States, but as good a citizen as any of you."

Jackson had drunk no wine or liquor of any kind before for months, and there is in existence a letter which he wrote in 1830 explaining that the incumbent of a certain office, who had been removed, was so disposed of because of intemperate habits. In that letter he says:

"I have received your note of this day and sincerely regret to learn that Mr. —, removed, is a brother of Governor and General —. When you read the recommendation of Mr. P—— you will find that he requests the removal of Mr. — and the appointment of Mr. Ewing, because the incumbent, Mr. —, is incompetent, from intemperance, to discharge the duties of the office. Colonel Benton has coincided with Mr. P—— in this request. This charge, therefore, coming from such high source, could not be overlooked consistent with the rule that intemperate men cannot remain in office—civil, naval nor military. We must pursue principle and

deal out uniform justice to all, although I regret when it falls upon the connection of our friends."

In 1836, when Abraham Lincoln was a candidate for the legislature, he made his first public appearance at Springfield, which place had not yet become his home. One of the leading residents of the place was George Forquer, who had been a Whig, but had gone over to the Democrats, and for reward had been given the position of register of the land office at Springfield, a place worth considerable money at that time. He had recently built one of the finest houses in town, and erected over it a lightning-rod, the first one seen in the country. As Lincoln rode into the town he noticed this place and was told that Forquer was the owner.

Mr. Lincoln, then comparatively unknown, was one of the speakers of the day, and when he had concluded, Forquer, who was a wit and a speaker of acknowledged ability, was put forward to answer him. As he went on the platform he spoke so that Lincoln could hear, and said: "This young man must be taken down, and I am truly sorry that the task devolves on me." His speech was full of rough sarcasm and replete with references to Lincoln's appearance and clothes. His victim stood by in calmness, but his pale cheek and flashing eye showed that something was at work within. When it was his turn to speak he replied to his opponent's arguments in a calm and logical manner, and in conclusion sent home this telling shot:

"The gentleman commenced his speech

by saying that 'this young man,' alluding to me, must be taken down. I am not so young in years as I am in the tricks and the trades of a politician, but [with his long forefinger pointed at Forquer], live long or die young, I would rather die now than, like the gentleman, change my politics and with the change receive an office worth three thousand dollars a year, and *then* feel obliged to erect a lightning-rod over my house to protect a guilty conscience from an offended God."

The effect on men who had never seen a lightning-rod before, and could not be supposed to clearly understand its uses, can be better imagined than described.

One of the neatest rostrum retorts ever recorded was made by the famous Tom Corwin to Tom Hamer, who was also noted as a wag and a stump speaker of great power. It was in 1840, and a joint debate was being held between the two in the old market-house in Columbus. Hamer was the leader of the Ohio Democrats and a member of congress, and in the course of his remarks denied the "hard times" which the Whigs claimed existed, and said that he had not experienced any. As he was holding an office at a good salary he opened the road for Corwin's response. In making his reply he said he would answer Mr. Hamer's question by asking another, Yankee fashion, and would take it from Holy Writ: "Doth the wild ass bray when he hath grass? Or loweth the ox over his fodder?" Mr. Hamer could take a joke as well as give one, and laughed heartily with the rest.

John C. Calhoun once pointed to a

drove of mules just from Ohio and said to Corwin: "There go some of your constituents." "Yes," said Tom, gravely, "they are going down south to teach school." Governor Brough was once matched against Corwin, and in the midst of his speech said: "Gentlemen, my honored opponent himself, while he preaches advocacy of home industry, has a carriage at home which he got in England—had it shipped across the ocean to him. How is that for supporting home industry and labor?" When Corwin came on the stand he made a great show of embarrassment, stammered, and began slowly: "Well, gentlemen, you have heard what my friend, Mr. Brough, has to say of my carriage. I plead guilty to the charges, and have only two things to say in my defense. The first is that the carriage came to me from an English ancestor as an heir-loom, and I had to take it. Again, I have not used it for seven years, and it has been standing in my back yard all that time, and the chickens have converted it into a roost. Now, gentlemen," with a steady look at Brough, "I have nothing further to say in my defense; but I would like to know how Brough knows anything about my carriage if he has not been visiting my chicken roost?"

James Buchanan could deliver a sledgehammer blow in debate if allowed to work his way up to it. Here is an extract from a speech made in the United States senate in 1841 in opposition to Mr. Clay's scheme of a fiscal bank:

"The senator from Kentucky tells us that he never said President Tyler ought

to have resigned, but only that resignation was one of the alternatives before him. A President resign! A President who had been but three months in power resign his place! Why, sir, this is almost a moral impossibility, so deeply is the love of power rooted in the human breast. No President will ever think of doing such thing. In the whole range of history I recollect but two memorable instances of the kind; one was that of the Roman emperor Diocletian, and the other of the emperor Charles V. The Roman emperor, you know, went to raising cabbages, as Mr. Van Buren is now doing, and Charles buried himself before he was dead—a very fit emblem for the condition of a President who should resign his office that he might suffer a bill for the fiscal bank to become a law."

On one of the coldest days of the winter preceding Garfield's inauguration a pompous but shabby colored man made his appearance at Mentor. He asked for an audience, which was granted. He next asked for the mission to Liberia, which was not granted. "My name is Adams Lord of Cleveland, sir," he had said on introducing himself, "and I am a man of influence with my race."

Satisfied that he could not represent the government at Liberia, he next made a plea for a consulship at some South African port. Garfield told him that he could do nothing for him, and then asked to be excused, as other visitors were in waiting.

Mr. Lord passed into the office and sat down. In an hour, when the callers had left, he again marched into the house and asked for one word with the general. "I



don't like to waste the day," said he, "and I wish you would promise me a clerkship at Washington."

"My friend," said Garfield, in his kindest tone, as he laid his hand on the shoulder of the other, "I am making no promises. I can do nothing for you. Go back to Cleveland, and after I am inaugurated send in your application in the proper way, and see what can be done."

The colored man went back to the office and sat down. A servant saw him there two hours later and gave him a plate of food, which he held on his knees and disposed of with a great deal of interest and attention.

At 4 P. M. he walked over to Secretary Brown's desk and said, "Can I see the general again?"

"I am sorry, but he is busy," said Brown.

Mr. Lord sat down at a table in the far end of the room and wrote the following:

"*Dear General:*—I voted for you, and worked for you, and helped you carry the Sixth ward. Can I have a position as messenger or watchman?"

"ADAMS LORD."

Mr. Brown took the note in, but returned in a moment and said Garfield would promise nothing.

At 5 P. M. Mr. Lord walked over once more to Brown and said: "I hate to lose the day. Won't you ask the general if he can't give me an old coat or a pair of pants?"

Brown went into the house and soon came out with a coat, a vest and a pair of half-worn shoes. These he gave to the man, and hinted that the train would go soon.

"Yes, boss," said Mr. Lord, "but I spent my last cent getting down here, and I guess the general will have to lend me enough to get home on."

When Brown reported this to headquarters Garfield said: "If there is anything else in the house he wants let him have it." He sent the man two dollars, and the last seen of Mr. Lord he was marching down the road with the coat on his back and the rest of the goods under his arm.

This is actual fact. I have delayed publishing it until a time should come when the public would believe anything about office-seekers. That time is at hand.

It was in the close and heated contest of 1872 Sherman was seeking a reelection to the United States senate, but from personal reasons and because of some action of his on the money question there were eleven Republican members of the general assembly who agreed that they would not vote for him and would be bound by no caucus decision in his favor. As the time for action approached three of the eleven were won away, but the eight remained firm. They held the balance of power, and the Democrats stood ready to elect any Republican other than Sherman for whom the eight might cast their votes. On the night preceding the election, and after the compact had been made, the following dispatch was sent to General Garfield, who was then a member of congress:

"You can be elected United States senator in to-morrow's conference by our votes with the aid of the Democrats of the two houses."

To this were signed the names of the

eight—General J. C. Casement of Lake, J. R. Conrad of Portage, Kirtland of Mahoning, George H. Ford of Geauga, Gage of Paulding, Fulton and Fallis of Hamilton, and Chapman of Cuyahoga. Almost instantly came the answer, showing that Garfield had not hesitated nor considered it for even a moment:

"*Gentlemen* :—I thank you for the offer so kindly made, but I can never consent to be elected United States senator by Democratic votes.

"J. A. GARFIELD."

General Hayes was then near the close of his second term as governor. Search was immediately made for him, but he had retired. He consented to get up and meet the committee. Their offer was firmly and respectfully declined. He said that his relations to Sherman were such

that, while he would like to be senator, he could not for a moment think of accepting. An attempt was then made to unite on General J. D. Cox, whom the Democrats favored, but some of the eight preferred Sherman to him. On the following day seven voted for Sherman, while the eighth—Fallis of Cincinnati—cast his vote for Cox. In this reminiscence two things will be noted—that both Garfield and Hayes were willing to be considered in case there was a dead-lock on Sherman, and that had either accepted he might have been senator, but never President. His attitude toward the majority of the Republicans of Ohio would have been such that he would have retired to private life on the expiration of his senatorial term.

J. H. K.

## THE PROHIBITION PARTY: ITS ORIGIN, PURPOSE AND GROWTH.

### IV.

On the morning of July 23, 1884, four hundred and sixty-five accredited delegates, from thirty-one states and territories of the Union, viz.: Alabama, Arkansas, Connecticut, California, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Maine, Missouri, Nebraska, New Hampshire, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Wisconsin, West Virginia, Dakota, Arizona and the District of Columbia, assembled in Lafayette hall, Pittsburgh, Pennsylvania. The convention was called to order by Chairman

Stewart, and opened by prayer by Rev. A. A. Miner, D. D., of Boston, Massachusetts.

Mr. C. L. Rose welcomed the convention in a cordial address, for which Chairman Stewart returned thanks. Chairman Stewart delivered an opening address, containing an analysis of the issue which had brought the convention together, and a clear and convincing argument of the principles involved. After which he stated that the National committee had unanimously recommended Honorable William Daniel of Maryland for temporary chairman, and Mary A. Woodbridge of Ohio,

and Charles S. Carter of Washington, District of Columbia, for secretaries, which selections were confirmed. The committee on permanent organization reported Professor Samuel Dickie of Michigan as president; one vice-president from each state represented; and for secretaries Mary A. Woodbridge of Ohio, S. Cairns of Missouri, C. A. Hovey of New Hampshire, and L. S. Freeman of New York.

The platform consisted of ten sections, and covered all the ground usually found in this party's declarations. It was a strong and well-written document. The following are the two first resolutions:

"First—The Prohibition party, in National convention assembled, acknowledge Almighty God as the rightful sovereign of all men, from whom the just powers of government are derived, and to whose laws human enactments should conform as an absolute condition of peace, prosperity and happiness.

"Second—That the importation, manufacture, supply and sale of alcoholic beverages, created and maintained by the laws of the National and state governments during the entire history of such laws, are everywhere shown to be the promoting cause of intemperance, with resulting crime and pauperism, making large demands upon public and private charity; imposing large and unjust taxation, for the support of penal and sheltering institutions, upon thrift, industry, manufactures and commerce; endangering the public peace; desecrating the Sabbath; corrupting our politics, legislation and administration of the laws; shortening lives, impairing health and diminishing productive industry; causing education to

be neglected and despised; nullifying the teachings of the Bible, the church and the school, the standards and guides of our fathers and their children in the founding and growth of our widely extended country; and which, imperiling the perpetuity of our civil and religious liberties, are baleful fruits by which we know that these laws are contrary to God's laws and contravene our happiness. We therefore call upon our fellow-citizens to aid in the repeal of these laws and in the legal suppression of this baneful liquor traffic."

The third and fourth resolutions condemned the action of the Republican and Democratic parties in their administration of the government in relation to the liquor traffic.

The fifth and sixth asserted the great danger of the competition of the two old parties for the liquor vote, and the influence of the liquor element in their ranks.

The seventh called the attention of the working man, the manufacturer, the farmer and the miner to the baneful effects of the use of alcoholic liquors on each of their interests; and declared that the suppression of the traffic would be the sure and only way to the settlement of the differences between capital and labor.

The eighth recognizes the grand work of the W. C. T. U., and the ninth declares in favor of woman suffrage.

The tenth and last acknowledges the presence of the guiding hand of the Divine Spirit, and asks the citizens of these United States to make the principles of this platform the dominating principles of our government.

On motion of Rev. A. A. Miner, D. D., of Boston, the name of Prohibition Home

Protection party was changed by a large majority to the old and first-known name of "Prohibition party."

Upon the call of the states several candidates for nomination by the convention were presented by delegations, all of whom, however, were withdrawn, with the exception of ex-Governor John P. St. John of Kansas; and roll for the final vote being called, six hundred and two votes, the entirety of the convention, were cast for John P. St. John. The chairman formally announced that Honorable John P. St. John of Kansas was the unanimous choice of the convention as their nominee for President of the United States.

Upon the call of the roll of states, the names of several worthy candidates were presented for the vice-presidency, but severally withdrawn, and on motion of Judge W. J. Groo of New York, Honorable William Daniel of Maryland was given the nomination by a rising vote.

The National committee was authorized to fill vacancies from states and territories, and Miss Frances E. Willard of Illinois and Mother Stewart of Ohio were added as members-at-large. Honorable John B. Finch, Nebraska, was elected chairman; A. J. Jutkins, Illinois, corresponding secretary; J. A. Van Fleet, Illinois, recording secretary; and Honorable S. D. Hastings, Wisconsin, treasurer.

The proceedings of the convention were closed with prayer by General Clinton B. Fisk of New Jersey, and dismissed with a benediction by Rev. A. J. Jutkins of Illinois.

Thus came, as it were, the new birth of

the Prohibition party; new life was given it from every source.

The standard-bearer, ex-Governor John P. St. John, had been governor of Kansas, elected by the Republican party on the prohibition or temperance issue. His zeal in that direction had angered some of the leading Republicans, and the party in his state had, as he thought, gone back on the principles they had declared; and the Republican convention at Chicago, by their treatment of the subject as presented to the committee by Miss Willard, confirmed him in the belief that the Republican party would not and could not give the people any substantial relief. Both of the candidates and all of the prominent men of the party entered into the contest with great earnestness and zeal. Thousands of meetings were held and tons of temperance and prohibition literature were sent out. The candidates of the Republican party were James G. Blaine of Maine and General John A. Logan of Illinois. Mr. Blaine, though hailing from the leading prohibition state of the country, and though he had often given his approval of and aid to the prohibitory laws, came out in a letter in favor of the continuance of the internal revenue tax on spirituous and malt liquors, and proposed, as a solution of the surplus revenue question, which was then becoming prominent, a division of the proceeds among the several states. General Logan proposed the application of this income to the educational funds of the states; thus both consenting to the continuance of this terrible business, and both proposing an

application of its proceeds in a way that would, as they no doubt intended, by the most insidious means, put to sleep the conscience of the people—attempting to buy their way into office with the money that can only be supplied by the corruption of our youth and making war upon our homes.

The issue was fairly met by the Prohibition party, and it was evident through the whole campaign that the prohibition issue was *the* issue; and this fact was more fully illustrated by the result, which showed that had not the candidates so rashly committed themselves to the wrong side of this great question they would certainly have been elected. Mr. Blaine emphasized his position during the canvass by refusing to vote for the prohibition constitutional amendment which was voted on at the September election in his state, and causing the telegram—"I did not vote on the amendment"—to be sent over the country. This fell like a wet blanket on thousands of the (so-called) non-partisan temperance workers and changed them from what they really were—Republican partisans—to Prohibition partisans. Undoubtedly that utterance caused more than enough changes in the state of New York to turn the scale in favor of the Democratic candidates.

One of the most notable features of this campaign was the attempted bribery of the Prohibition candidate, Mr. St. John. This disgraceful scheme seems to have had its origin in the brain of one James F. Legate, a Republican politician of Kansas.

James S. Clarkson of Iowa was the first member of the Republican National committee consulted in the matter. He

entered into the scheme and has since said that he would have considered it justifiable to have used such means to defeat the Democrats.

It is probable that this affair never went any further than to the sub-committee of the Republican National committee, but there is no doubt but that Elkins, W. W. Dudley, R. C. Kerens and a man by the name of Stewart were in it; and it has been charged, and, we think, never denied, that William Walter Phelps was consulted and that he presented the matter to Mr. Blaine. If this was true it is evident that that gentleman did not seriously disapprove of it. The affair was not made public at the time, and never would have been had not some of the conspirators given it away. After it was made public and severely denounced by the press, these marplots attempted to offset their shame by claiming that the Democrats outwitted them by paying St. John, or the Prohibition committee, more money than they offered, not to withdraw; though they never dared say who paid or received any money. [A full account of this transaction is found in the *Voice* extra, No. 2, to which we refer. Funk & Wagnalls, New York city. Price five cents.]

This campaign will go down in history as one of the most corrupt and disgusting ever known in this country. Almost the only stock in trade of the two old parties was the calumniating of the candidates of the opposite party.

It was bitterly contested and ended in the defeat of the Republican party—the first time since 1860. The Prohibition vote showed an astonishing increase, springing from 11,640 for Neal Dow in 1880, to 151,070 for St. John in 1884.



The following table gives the figures in detail :

STATES.	BLACK. 1872.	SMITH. 1876.	DOW. 1880.	S. JOHN 1884.
Alabama.....				610
California.....			61	2,959
Colorado.....				761
Connecticut.....	205	378	412	2,495
Delaware.....				55
Florida.....				74
Georgia.....				184
Illinois.....		141	440	12,074
Indiana.....			600	3,018
Iowa.....		36		1,564
Kansas.....		110		4,495
Kentucky.....		818	234	3,106
Louisiana.....				338
Maine.....			93	2,160
Maryland.....		10		2,827
Massachusetts.....		84	682	9,923
Michigan.....	1,272	767	1,106	18,403
Minnesota.....		172	280	4,691
Missouri.....		64		2,159
Nebraska.....		1,599		2,858
New Hampshire.....	200		189	1,573
New Jersey.....		43	191	6,155
New York.....	201	2,359	2,077	25,006
North Carolina.....				454
Ohio.....	2,100	1,636	2,616	11,269
Oregon.....				490
Pennsylvania.....	1,630	1,319	1,955	15,306
Rhode Island.....		68	25	928
Tennessee.....			43	1,131
Texas.....			43	3,511
Vermont.....			105	1,752
Virginia.....			440	143
West Virginia.....				939
Wisconsin.....		155	91	7,659
Total.....	5,608	9,759	11,640	151,070

This result very much encouraged the friends of the party and a general advance was made all along the line. From 1884 to 1887 the party gained gradually, and in some places rapidly, so that in 1887 a few states cast as many votes for local officers as the whole country had given to St. John. The following table shows the most notable gains :

STATES.	1884.	1886.	1887.
California.....	2,960	6,432	.....
Illinois.....	12,074	*19,766	.....
Indiana.....	3,028	9,185	.....
Kansas.....	4,495	8,094	.....
Kentucky.....	3,139	.....	8,390

STATES.	1884.	1886.	1887.
Michigan.....	18,403	*25,179	.....
Minnesota.....	4,684	8,960	.....
Nebraska.....	2,899	8,175	.....
New Jersey.....	6,153	19,808	.....
New York.....	24,999	.....	*41,850
Ohio.....	11,069	.....	*29,700
Pennsylvania.....	15,283	*32,458	.....
Texas.....	3,534	*19,186	.....
Wisconsin.....	7,650	17,089	.....

It will be seen by the above that the largest vote during 1886 and 1887 of the six states marked\* aggregated 168,761, being more than the vote in the whole country in 1884 for St. John.

#### NATIONAL COMMITTEE AND CONFERENCE.

On January 7, 1885, a meeting of the National committee and conference of prominent Prohibitionists was held in New York city. Professor A. A. Hopkins of New York was added to the National committee as member-at-large. The executive committee were instructed "to secure the services of Honorable John P. St. John and other able speakers for the current year to herald the cause and proclaim the principles of Prohibition throughout the land," and to prepare and publish an address to the people of the United States.

A very great change was at once noticeable in the party conventions and public meetings. The state convention of Ohio, in 1884, was held at Columbus, in the old city hall, over the post-office. There was not interest enough felt in the matter at Columbus to prepare for the convention, and members of the state central committee went to that place to have the hall swept and made passably decent for the meeting of the convention. As near as the writer can recollect, there were present

about one hundred delegates and but few visitors from Columbus or elsewhere. The following year, 1885, the convention was held at Springfield. The wigwam (the largest hall in the place) was crowded by the delegates and alternates, numbering about eleven hundred, and their friends, numerous enough to crowd the hall, which held four thousand people. Since that time there has been brisk competition for the state conventions; that of 1886 was held at Canton, 1887 at Delaware and 1888 at Toledo, all of which have been great successes in numbers and enthusiasm. And this has been the rule all over the country. One of the noticeable features of the temperance agitation in a political direction of the last four years has been the organization and movements of the

"ANTI-SALOON REPUBLICAN MOVEMENT."

The incongruity of radical temperance men in prohibition states, such as Kansas, Iowa and Maine, remaining in and acting with a National party not in accord with them on this subject, was so apparent as to call for action. A call for a convention to be held in Toledo, Ohio, was called by Mr. Albert Griffin of Kansas and others. Extracts from the call show plainly that it was the original intention of those issuing it to commit the Republican party to the work of destroying the saloon. Space forbids giving an extended history of this movement, but we will give a few to show, as it were, the tracks of this movement. This from the first call:

"Believing that the time has come when this issue must be squarely made and fought out, and being satisfied that a

vast majority of Republicans desire the closing of the saloons in America, and, therefore, *have a right to commit the party to that policy*, the undersigned Republican voters of Kansas have decided to issue this call for a National convention," etc. At a meeting in Chicago shortly after this call, Mr. Griffin was asked by Dr. Parkhurst if it was understood that should the party refuse to adopt the policy of prohibition it was the intention of those who had organized the movement to leave that party. Mr. Griffin promptly said, "That is just what we propose to do."

Mr. Griffin then went on east and called upon prominent members of the Republican party—managers, members of congress, senators and others. He returned with quite a different idea of what should be done. The date and place of the convention were changed so as to make Chicago the place and to be held after the Republican conventions in most of the states. Mr. Griffin then thought the party should not be committed to any "specific measure," and the following was a part of an interview published in *Chicago Tribune* of July 18, 1886: "What we want most is to get delegates whose zeal will not get away with their judgment, and who will do the most good for the Republican party and the cause we want to advance." After this declaration a large number of the original members withdrew, thirty-five letters of withdrawal being published in the *Voice* of August 5 and 12, 1886. The convention was planned on a magnificent scale. The call provided for 1,696 delegates. There were, as appears from the report of the committee on credentials, 190 delegates present. Ohio sent one.

Who he was or who authorized him to act has never been made public.

The work of the convention, though setting forth hundreds of good reasons for radical political action and the necessity of a party dedicated to the task, was such as to make the predictions of two prominent Chicago papers so strictly correct that it is evident they must have had inspiration from the fountain-head of authority. They are as follows:

"The *Chicago Tribune* said editorially, July 22, 1886: 'In plain words, the object of this movement is to draw the Prohibitionists back to the party.'

"The *Evening Journal* said editorially, September 13, 1886: 'The purpose of this conference is to prevent the advanced temperance element from deserting the Republican party and going over to the Prohibitionists.'"

If anything else was needed as evidence, the bitterness with which the leaders of this movement have pursued Prohibitionists and the Prohibition party would be sufficient. The fierce intolerance of an apostate can here find an exemplification. Since that time the "movement" has contented itself by keeping up a standing committee and issuing documents and employing speakers to keep the temperance element of the Republican party in line. The principal move of the managers since their convention of 1886 was their effort at the Chicago convention of 1888 to induce the platform committee to report a plank showing hostility to the saloon. Dr. Carroll of the *New York Independent* was chairman of the committee and acted as speaker. The resolution presented was, to say the least, mild, but it was too strong

for the very politic committee. The whole effort was a failure, and the resolutions reported by the platform committee had not a word in the direction of the request of the temperance committee. The only utterance of the platform committee which can be construed to mean anything on this subject is in the third clause of the platform, as follows: "We re-affirm our unswerving devotion . . . to the personal rights and liberties of citizens in all the states and territories of the Union." Herman Raster, in an interview with the *Voice* correspondent, said that phrase was fairly to be construed as a re-indorsement of the Raster resolution of 1872, and that he considered himself vindicated. The resolutions as reported by the platform committee were put through without debate, and no effort was made on the floor of the convention to introduce anything in the way of a temperance resolution, until just before the adjournment of the convention on Monday night, Congressman Boutelle of Maine offered a resolution which reads as follows: "The first concern of good government is the virtue and sobriety of the people and the purity of the home. The Republican party cordially sympathizes with all wise and well-directed efforts for the promotion of morality." This was a resolution so placed as to be very handy for the party managers. They could use it in temperance localities as a part of the platform, while in other places it was declared not to be a part of the platform at all.

It is simply stating a well-known and admitted fact that the occasion of this convention was made the scene of most unbridled license and drunkenness. The

head bar-tender at the Grand Pacific hotel stated that the receipts of the bar were about one thousand dollars per day during the convention, and one day reached two thousand dollars. In the *Chicago Inter-Ocean* of June 23 is an item to the effect that the extra shipments of beer from Milwaukee for that week amounted to 62,500 barrels, or nine million quarts, and goes on to figure the profits of Chicago saloon-keepers on Milwaukee beer alone during the week to be \$750,000. This may give some idea of how the party of great moral ideas was represented by their delegates at this National convention. This was certainly a very unpromising body of men for Dr. Carroll and Miss Foster to go before to plead for the protection of the American home. During the campaign nothing was done by the anti-saloonist in that party except to make war upon the Prohibition party, and the result shows that they were sufficiently instrumental in the success of the Republican ticket in New York state to deserve some recognition from the incoming administration.

THE DEMOCRATIC NATIONAL CONVENTION of 1888 was held at St. Louis on June 5, 6 and 7. There was no friendly interest in the cause of temperance displayed by the delegates, and there was any amount of drunkenness. The receipts of the bar of the Lindell House on one day were \$915, and at the Southern Hotel \$1,300. It must be remembered that as compared with the Republican convention the crowd of visitors to the place was comparatively small, and the convention lasted only three days instead

of six, as at Chicago. It has been generally supposed that this convention was left entirely at peace in regard to the temperance question. This is a mistake. The following are a few extracts from a petition sent in by "THE WHITE RIBBONERS OF THE SOUTHERN STATES," a temperance organization consisting of some of the noblest women of that section: "We have been repeatedly charged of never having asked anything of the Democratic party. In view of this oft-repeated utterance, we, the Christian temperance women of the southern states, demand, by right of our connection with and representation by, the moral, religious and educated class of Democratic voters, that your body shall throw the shield of your protection over our homes by omitting from your platform the anti-sumptuary plank and substitute therefor one against the licensed saloon and in favor of the protection of the helpless women charged with being 'keepers at home,' and in favor of the children whom these women are expected to raise and train to be good citizens, and, if they be males, to be Democratic voters. . . . We make this plea in sober, solemn and terrible earnestness, and if the sense of chivalry and honor be not strong enough in your body to defy the liquor traffic and protect the women and children, then there will be no ground of complaint if there be divisions and disloyalty in the ranks of the southern Democrats. It is to be expected that true men will, when the test comes, prove true to mother, wife, children and home, even at the cost of party fealty.

"With the offer of this grand opportunity



for the strengthening and ennobling your influence and power, we subscribe ourselves respectfully, in behalf of the wives, mothers, sisters and daughters of southern Democrats,

"THE WHITE RIBBONERS OF THE  
SOUTHERN STATES."

The convention for the first time since 1872 left out the anti-sumptuary plank. But they did not insert anything in its place favorable to the cause of temperance or hostile to the saloon.

Thus it is seen that both of these parties have had this subject brought distinctly to their notice in their National convention, by men and women whom everybody must admit deserve to be classed as of the best element of their party. Not only that, but in each of these appeals is found the ring of the resolutions found in the early platforms of each of these parties. Why is it that these eloquent pleas are not heeded? Simply because these organizations are no longer the parties they were when in their inception and first bloom of success they were inspired with a great and noble sentiment—the one to secure to the people of this country freedom of conscience, freedom of speech and of the press, and to establish and fix the rights of the states; the other to strike the shackles from four millions of slaves, and free the American people from the crime and curse of slavery. They have both degenerated into mere machines for the getting and holding of office, and in the fierce fight for spoils the cry of the homes and of children is unheeded.

Having thus briefly sketched the action of the two old parties in their

National conventions on this question of temperance and prohibition, we will return to the recital of some of the more notable events connected with the Prohibition party between 1884 and 1888, one of which was the death of John B. Finch, chairman of the National executive committee and R. G. W. C. Templar of the Good Templars of the world. He was a man of uncommon ability, force and character. He was formerly a Democrat and was active in the effort to secure the high license laws of Nebraska, of which state he was then a citizen. He afterward declared this to be one of the greatest mistakes of his life, and some of his most powerful efforts as an orator were directed against the principle of license. He was a hard worker, a powerful and eloquent platform orator, and most earnest and zealous advocate of all the reforms in government or society proposed by the Good Templars or the Prohibition party. A number of his great speeches have been compiled in a little volume called 'The People vs. The Liquor Traffic,' by Honorable Samuel D. Hastings. The library of no Prohibitionist is complete without this book. If not out of print it can be obtained by writing R. W. G. lodge I. O. of G. T., Room 8, No. 87 Washington street, Chicago.

On the night of October 2, 1887, Mr. Finch spoke to a large audience in Lynn, Massachusetts. After the meeting he took the train for Boston. On his arrival there at about midnight, as he stepped from the cars, he fell dead upon the platform. The melancholy news was telegraphed over the country and to Europe,



and created a profound sensation in all Prohibition and Good Templars circles. He had traveled from one end of the land to the other, was well known and admired and loved by all who knew him, and it seemed for the moment that the party and the Good Templars order had met with an irreparable loss; but no great moral movement depends upon any one man or woman. It has its foundations in principles that never die, and new advocates are constantly coming to the front.

The Prohibition National Executive committee was, after a few months, called together, and Professor Samuel Dickey of Albion university was elected to the position of chairman, and he has filled the position thus far with marked ability and success.

Among the other notable events connected with the party were the outrages committed against the persons and property of Prohibitionists.

The one producing the greatest consternation was the assassination in cold blood of Rev. George C. Haddock in Sioux City, Iowa, on the night of August 3, 1886. The prohibitory laws of that state had been enacted several years before by the Republicans. In the greater part of the state they went into effect at once, and year after year were forcing their way into the larger towns. Sioux City was the centre of a great beer-brewing interest, and by the manipulation of politics the officers of the law were chosen from the friends of the traffic. On this

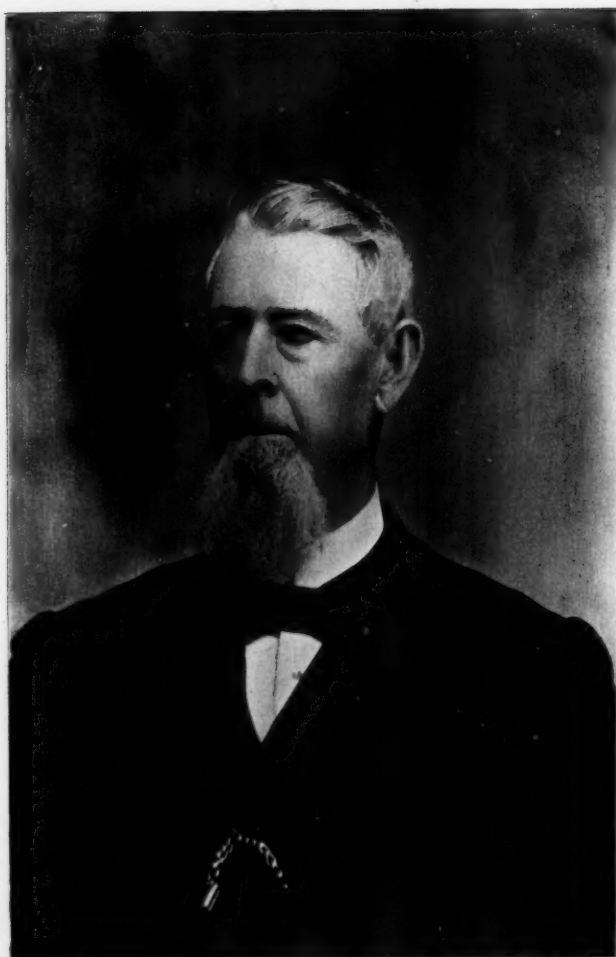
state of things Mr. Haddock made unceasing warfare. He was most prominent in the movement to enforce the law and his life was frequently threatened. At last, on the night above mentioned, he was waylaid by hired assassins and shot through the head. He sank down and died in a few minutes. He died in the midst of his work, having been that day engaged in the court-room and that night out in search of further testimony for the trial the next day.

Be it said to the shame and disgrace of the state of Iowa, these cowardly assassins or their fellow-conspirators have never been brought to justice. Another shocking affair was the murder of Roderick Gambriel of Mississippi. He was the editor of a Prohibition paper in that place and his powerful attacks on the rum-soaked and corrupt Democracy of the place brought down their wrath. He was shot down in cold blood. Neither of these men died for themselves or their families, they died for a principle of justice which, wherever established in government, brings happiness and prosperity, and when that principle is established, as it will be, in this land, the names of Haddock and Gambriel will be enrolled as martyrs to a righteous cause. These are only two of many outrages and insults heaped upon members of this party during the last four years. The history of all reform movements is being repeated. Each one has its martyrs, and when we read their stories we are struck with their resemblance.

GEORGE L. CASE.

[To be continued.]

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V. Smith

1880

## VESPASIAN SMITH.

ORDINARILY, the practice of medicine in a new country is attended with only such inconveniences as are consequent upon difficulties of traveling and in obtaining supplies of drugs ; but, in the Lake Superior country, at an early day, there were more obstacles in the way ; there were but few doctors, and settlements were "like angels' visits, few and far between." The pioneer physician who continued in the practice any length of time under all the discouraging circumstances which beset his path, was not only a stout-hearted man but a philanthropist as well. He had to encounter the blinding snows of a rigorous winter, the interminable forest-ways and the humble fare of the rude cabin, as he toiled on in his professional career. No one more bravely met all these privations and hardships than Vespasian Smith.

The subject of this sketch was born at Mt. Vernon, Ohio, in 1818. His parents were Virginians and had moved to that locality as early as 1805. The education of Vespasian was obtained in the common schools of his native town—he attended no other educational institution ; but he was a bright boy and qualified himself to become a teacher, he having taught about a year, with marked success, in Pickaway county, Ohio.

After this, he commenced his medical studies with Dr. J. N. Burr of Mt. Ver-

non. Graduated in the medical department of the Western Reserve college in Cleveland, in 1851. He married, in 1846, in New Carlisle, Clark county, Ohio, Charlotte E. Neely of that place, who is still living. They have three children—two boys and one daughter. The daughter, who is the eldest of the three, is the wife of Dr. S. C. McCormick of Duluth. The eldest son, Frank B., is a resident of Florida ; the other, Will N., lives in Duluth, and is a druggist by profession.

Dr. Smith settled in New Carlisle, Ohio, in his profession, where he practiced several years ; then moved to Mt. Vernon, where he practiced about three years. He emigrated to Superior, Wisconsin, in March, 1857, and resumed practice there and in its vicinity—continuing about three years, when he moved to Bayfield, in that state, where he practiced nine or ten years.

The doctor, with his family, took up his residence in Duluth in 1870, practicing there until 1877, when he retired from his professional work, he having been appointed collector of the port. He held that office about nine years. While he resided in Bayfield he was a register of the land office, resigning in 1870. He has been mayor of Duluth two successive terms. He has been for some years a member of the State Board of Health of Minnesota. He practiced medicine, in all, over thirty years, yet

he never refused to visit anyone because of the person's poverty, and never sued a man for his bill. He has fre-

quently gone eighty and even one hundred miles to see patients.

CONSUL WILLSHIRE BUTTERFIELD.

### THE FIRST RAILROAD BUILT IN COLORADO.

RAILROADS have been built across the plains and over the mountains of Colorado at the rate of one hundred and twenty-five miles a year since May 18, 1868, when ground was broken for the Denver Pacific, the first railroad built in this state.

When, in the construction of the Union Pacific, it became apparent to the citizens of Denver that Cheyenne was to be the nearest point to that much-coveted route, a meeting was called July 11, 1867, to consider the matter of encouraging materially the Colorado Central railway. When, however, it again became apparent that Denver was to be regarded as a city subsidiary to Golden, and not the real terminus of that road, that enterprise lost at once its pith and moment to the Denverians.

Next came George Francis Train, one of the passengers in the first coach to make the trip from Cheyenne to Denver as the harbinger of another train, and almost with "the energy that distances expedition." His inspiring speech before the Denver Board of Trade, delivered November 14, 1867, contained this famous passage: "Colorado is a great gold mine! Denver is a great fact! Make it a railway centre!"

At the close of the meeting, actuated

by these phillippic words, a provisional board of directors for a railway company was chosen. On the eighteenth, the committee reported the organization of a railway company under the name of the "Denver Pacific Railway and Telegraph Company," with a capital stock of two million dollars, and a board of directors. Another meeting was held the succeeding day, when the directors announced the following organization: Honorable Bela M. Hughes, president; Luther Kountze, vice-president; David H. Moffatt, jr., treasurer (now president of the Denver & Rio Grande); W. T. Johnson, secretary; F. M. Case, chief engineer; and General John Pierce, consulting engineer. Within three days three hundred thousand dollars was obtained as subscriptions to the capital stock. Bonds were issued by the county to the amount of five hundred thousand dollars. December 28 the company advertised for proposals for furnishing ties. The Union Pacific agreed with the Denver Pacific to complete the latter as soon as it should be graded and tied. To change this verbal agreement into a written one, Governor John Evans and General John Pierce went to New York city, where they met the directors of the Union Pacific and accomplished the object of their



visit. In pursuance of this agreement work began on the Denver end of the line May 18, 1868, when several thousand people assembled to witness this, the most interesting and important event in the history of this fair city up to that period.

In February, 1868, Major W. F. Johnson was elected to succeed General Hughes, who had resigned. The entire grading was completed during the fall of the same year, when the ties were ready to be laid.

The first annual meeting occurred December 14, 1868, when the following officers were elected: W. F. Johnson, president; Luther Kountze, vice-president; David H. Moffat, jr., treasurer; R. R. McCormick, secretary. Upon the death of Mr. Johnson, March 5, 1869, Governor John Evans was elected to succeed, under whose wise and energetic management, assisted by his able associates, the road was carried to completion.

In the spring of 1869 the Union Pacific was called upon to fulfill its contract and iron the road to Denver. The reply was that Denver would have to wait, as the Union Pacific was financially embarrassed. The officers of the Denver Pacific insisted that Denver could not wait, and President Evans proposed that if the Union Pacific would cancel the contract and sell the iron to the Denver Pacific, the company would complete the road itself. "This proposition was agreed to, and an agreement was at once entered into with the Kansas Pacific, that company agreeing to build their road into

Denver, and complete the construction of the Denver Pacific, taking a certain amount of the stock of the latter road. From this time the difficulties of construction were in the main overcome, and the building of the road progressed rapidly until the twenty-second day of June, 1870, when a silver spike, contributed by the miners of Georgetown, completed the first connecting link between Denver and the outside world."

Of the twenty-five hundred miles of railway now traversing the state, the Denver & Rio Grande company have built about eighteen hundred—its president having thus been identified for twenty years with this progressive feature in the development of this growing commonwealth.

The last road to enter this great mineral realm was the Rock Island railway, an event which was appropriately celebrated at Colorado Springs about the beginning of this year. Upon that occasion Judge Wilbur F. Stone, a distinguished pioneer and lawyer, made a speech, in reply to a toast, a selection from which is here introduced as a befitting conclusion to this article: "When I left the states for Pike's Peak, nearly twenty-nine years ago, I traveled in a stage-coach from Ottumwa to Omaha, and I remember that from 'Coon River,' a little west of Des Moines, to Council Bluffs, there was not a house except the stage stations in all that distance of prairies as wild as the plains west of the Missouri. Since then I have passed over that route many times in the luxuriant cars of the Rock Island, and I have seen on either side a

continuous corn field five hundred miles long, stretching from Chicago to Council Bluffs; and I predict that in five years from this time we shall see a like corn field five hundred miles in length along the line of this great highway and kindred lines from the Missouri river westward to the mountains. Such are the changes wrought in a country by railways. Even now we scarcely realize the value of this additional great trunk line to Colorado, which has bridged our old-time American desert from the bluffs of the Missouri to Pike's Peak. And here it is pertinent to observe a distinguishing feature of modern railway building. The early railways were built

after the settlement and business of the country demanded them. Now railroad companies build into the country first and wait for the business. They do not have long to wait. The business comes; the railroads create it. They bring settlements, population, towns, cities, wealth and prosperity in their train. They make states, found commonwealths and spread civilization. And this suggests the justice of a welcome public sentiment, friendly encouragement and protection, unhostile legislation and reciprocal favors between the railroads and the people under the common government."

HENRY DUDLEY TEETOR.

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#### GENERAL DAVID H. MOFFAT.

THE romance of family history has an illustration in the life of General David H. Moffat, president of the Denver & Rio Grande railway. "Moffat of yt Ilk" were among the ancient and unruly clans of Scotland. Nicol de Moffat was Bishop of Glasgow A. D. 1268-70. Robert and Thomas de Moffat, both of the county of Dumfries, did homage to Edward I., A. D. 1296. The lands granted by Robert Bruce to Adam de Moffat were still in that family in the seventeenth century.

Three hundred years ago a David H. Moffat was buried at Moffat, Scotland, a village situated at the foot of Moffat hills, which rise nearly three thousand feet high and form the boundary between Dumfries upon the south and Peebles and Lanark-

shire upon the north. Here we find the origin both of the surname and the family of Moffat. After the lapse of nearly ten generations a descendant of this old and honorable Scottish family, bearing the same ancestral Christian names, is at the head of the railway system of Colorado, the president of the First National Bank of Denver, the promoter of immense mining interests, and one of the most influential and highly esteemed and widely known gentlemen west of the Mississippi river.

Thus the Highlands of Scotland and the mountains of Colorado are inevitably associated in the mind whenever the genealogy of the Moffat family may engage attention, for the builder of the great "Scenic Line of the World," which

involved such marvels of railway engineering, is one whose hereditary traits were first transmitted from father to son three centuries ago amidst those historical hills which give rise to the Annan, the Tweed and the Clyde rivers, even as the Rocky mountains feed forever the tributaries of the Platte and the Rio Grande flowing into the self-same ocean.

*Spero meliora*—"I hope for better things"—was the ancient heraldic motto of the family, whose crest was and still is a red cross, originally borne by one of the founders of this family, granted to him because, as a Crusader, he "bore a bloodie cross upon his breast, while on his shield the like was also scored."

Along with this "hope for better things," embodied in this family motto, has come the inspiration to do and to achieve what at last brings the high realization of better things, better surroundings and a better life. The business, the social and the personal standing of General Moffat is the noblest commentary upon the results of his labors, thus descended and thus actuated. The land of heroes and martyrs has given many such to America. Their names are found profusely written upon the pages telling of the founding of churches and cities and railways and schools and colleges—every institution in our land having in view the culture of the mind and heart, the good of man and the glory of God. These Scotch emigrants do not come to destroy, but to fulfill the law of civil and religious growth and development under the flag of our country.

General Moffat is a banker by virtue of experience which began at nine years of age, when he entered a bank in New York city, serving from 1847 to 1855, thus taking his first and second steps up the ladder of preferment. He is a native of that state—born in Orange county in 1839. Westward, like many another youth, he took up the line of march, hoping for better things. His next engagement was with the banking-house of A. J. Stephens & Co., of Des Moines, Iowa, then one of the largest banks in that state. An acquaintance resulted therefrom with Mr. B. F. Allen. These two new-made friends, in 1856, moved still further west, locating in Omaha, where they organized a bank of which Mr. Moffat took charge as cashier. In 1860 they went out of the banking business, and after paying off its entire indebtedness, Mr. Moffat came still further west, hoping for better things, and located in Denver.

The first seven years he was in the book and stationery business, with Mr. C. C. Woolworth as partner. Upon the organization of the First National bank he was elected cashier, thus resuming the business for which experience and natural aptitude qualified him. Thirteen years afterwards (1880) he was elected its president. The eighteen years of his leadership have demonstrated his eminent fitness for the place won by himself in a successful effort to realize better things; while the long-continued prosperity of the bank is attributable to having been established upon abstract banking principles, and guided in its management by the experience of pro-

sessional bankers of which General Moffat is now a distinguished instance.

But as a railroad man General Moffat has also done the state and the west great service. He began his railroad record as one of the organizers of the first railroad in Colorado, the Denver Pacific, of which he was at first treasurer and afterwards vice-president; is one of the heaviest stockholders of the Denver & South Park; was connected with the management of the Boulder Valley railroad, and himself built the extension from Marshal coal banks in Boulder county. As president of the Denver & Rio Grande, he represents the magnificent corporation that has built eighteen hundred miles of railroad around and over and through the Rocky mountains of Colorado, New Mexico and Utah. The struggle with the Santa Fe road for the Grand Canyon of the Arkansas was before the Rio Grande management demonstrated to the world that capacity for engineering skill in laying their track and running their coaches over the Continental Divide at Marshall Pass, the highest point yet reached by any railway in America, eleven thousand five hundred and forty feet above the level of the sea. "At Tennessee Pass," says a fascinating descriptive writer, "the track reaches the very verge of timber line, surrounded by bare and desolate peaks that hold during the hottest summer the snow and frosts of winter. Amid these awful and lonely surroundings is the wonderful curve around the tiny springs which are the headwaters of the Arkansas river. From the storm-swept summit travelers

may view the mountain of the Holy Cross, bearing aloft its mystic symbol limned in spotless snow."

Thus the 'Crest of the Continent' is a *cross argent* upon an everlasting rock—the summit of a mountain uplifted twice seven thousand feet from the bosom of the earth; while upon the gold and silver taken from its ore-exuding sides is stamped, when coined, the sacred motto, *In God we trust*.

As adjutant-general of the territory of Colorado, upon the staff of Governor John Evans, his fealty to the Republican party and loyalty to his country in her most perilous hour were demonstrated by exceptional efficiency and marred by nothing whatever of that "insolence of office" which pride of place sometimes begets, both in civil and military positions.

General Moffat's well-known mining operations have had the dual result of demonstrating the truth of George Francis Train's declaration: "Colorado is a gold mine;" while his successful ventures have greatly enriched him. His name is historically associated with the origin and development of the Caribou, the Breece, the Henrietta, the Maid of Erin and many other mines throughout the state. These investments grew out of the relations which so long and amicably subsisted between General Moffat and the late Honorable J. B. Chaffee, United States senator from Colorado.

Having at last realized the *better things* for which he hoped and labored from his youth, true to his ancestral trend, in the great success which has attended his career as banker, miner

and a railroad man and manager, perhaps the highest and best evidence thereof is the beautiful residence which he has built and now occupies in Denver. His ideas of a typical American home are thus materialized, while much

travel and observation in other lands have enabled him to embellish it within and without, thus rendering it the abode of culture and the scene of perfect domestic happiness.

HENRY DUDLEY TEETOR.

## CHICAGO: THE METROPOLIS OF THE WEST.

### II.

ALTHOUGH La Salle had early formed an unfavorable opinion of the Chicago and Desplaines rivers as a route by which to go from Lake Michigan to the Illinois river, he took that way at the beginning of 1682 in again going to the stream last mentioned. In the dead of winter, he and his men "made sledges, placed on them the canoes, the baggage and a disabled Frenchman, crossed from the Chicago to the northern branch of the Illinois, and filed in a long procession down its frozen course."\*

It is quite unnecessary in this connection to trace the subsequent journeyings of La Salle, only remarking that, in 1683, on the famous "Starved Rock" of the Illinois river, he finished Fort St. Louis, where Tonty was soon after in command. But the latter, fearing an attack from the Iroquois, sent a canoe to Captain Olivier Morel de la Durantaye, at Michilimackinac, for help. With sixty Frenchmen, Durantaye gave succor to Tonty, building, before his return, a fort at Chicago, where, in the latter days of 1685, he was in command. But this

first civilized establishment at Chicago was soon abandoned. Concerning the post there are no particulars extant.

It is well known that La Salle met his death in what is now the state of Texas, on the eighteenth of March, 1687. One of his faithful adherents was M. Joutel. The latter, towards the close of the year just noted, reached the Chicago river, made a *cache* for his baggage and provisions, and returned to Fort St. Louis on the Illinois, which place he had visited on his way from the scene of La Salle's death. Joutel, in the spring of 1688, again made his way to the Chicago river, leaving that stream on the fifth of April, on his way to Canada. A little over a year after his departure, the river was visited by the Baron La Hontan. His extravagance of description is well known. He assures us that he engaged on the Illinois, four hundred Indians to assist him across the portage from the Desplaines to the Chicago. For the next ten years, published accounts of the Chicago river and portage are wanting, when a traveler—J. F. Buisson St. Cosme—reached the mouth of that

\* Parkman's 'La Salle and the Discovery of the Great West' (ed. of 1879), p. 276.



stream. This was in October, 1699. After debarkation, St. Cosme found a house erected by Jesuit fathers, where were two priests who had recently come from the Illinois. In the Chicago valley, a mission had, some time before, been founded among the Wea Indians, a band of the Miamis. These savages had one hundred and fifty cabins, and there was another village not far away nearly as large. The Reverend Father Frances Pinet was in charge of the mission. St. Cosme soon passed on to the Desplaines, and down that stream to the Illinois. At the end of the seventeenth century, Chicago was still a Jesuit missionary station, for in 1700 Father James Gravier visited there; but how long it was continued there is nothing extant to show, only that it could not have been many years, as the Weas had left the vicinity before the year 1718.

Except what is briefly narrated by Charlevoix of "the little river Chicagou" in 1721, nothing additional was learned by travelers concerning the Chicago for a number of years subsequent to Gravier's visit. The reason for this was, that the tribes, particularly the Fox Indians, on the west side of Lake Michigan, became hostile to the French, virtually closing the route by way of that lake from Canada to the Mississippi. Finally, before the commencement of the war between France and England (1755), the savages became friendly to the French, and the route by way of the Chicago and Desplaines rivers was again pursued in traveling between the great valleys of the St.

Lawrence and Mississippi. The Pottawattamies, migrating up Lake Michigan, located at various places, but particularly at Chicago, where, at the period of the Revolution, there was a village and a stockaded fort—not occupied, however, by English regulars, but simply by traders. During the first half of the war with the mother country, English interests were paramount at Chicago, at which point vessels from Michilimackinac frequently touched; but the success of Clark in capturing the Illinois made the Pottawattamies located there rather friendly to the Virginians. From this time onward to the close of the war they gave the Americans, except on one or two occasions, but little trouble.

From the date of taking possession of the country by Daumont de Saint Lussou, which, as we have seen, was in 1671, and the additional and precautionary act of Nicolas Perrot in 1689, the whole country west of Lake Michigan, even to the south end of that body of water (but north of a line running in a northwest direction), was included in New France, and so remained until 1763, when the whole fell to England. By the treaty of the country last named with the United States in 1783, this whole region (and much more), as far west as the Mississippi, was ceded to our government. So that the land upon which Chicago now stands (if we do not take into account the Indian title) belonged first to France, then to England and lastly to the United States. However, there was not as yet—that is, down to the treaty of peace with Great

Britain—a single white resident on the Chicago river or its branches; but a Negro whose name was Jean Baptiste Pointe de Sable had made on that stream a permanent location. It has been facetiously remarked, therefore, that “the first white man who settled in Chicago was a Negro.” It must not be supposed, however, that besides those priests already mentioned, there had not been any white persons domiciled there. A considerable number of white traders had resided on the river while trafficking with the Pottawattamies and other tribes, but De Sable was the first person (not an Indian) who came with the intention of making it his permanent home; hence, he was the first settler of Chicago. He remained here until 1796, when he sold his cabin to a French trader named Le Mai and went to Peoria, where he had formerly lived, and there he died.

In the Indian war of 1790–5, the Pottawattamies took part against the Americans, but the signal defeat of the allied tribes by General Wayne at the battle of the Fallen Timbers, induced the western Indians, including the Pottawattamies, to sign at Greenville, in August, 1795, articles of peace which put an end to the war. At this treaty, “one piece of land six miles square, at the mouth of the Chikago river, emptying into the southwest end of Lake Michigan, where a fort formerly stood,” was ceded to the United States. A large part of what is now the site of Chicago had the Indian title thus early extinguished.

Chicago remained a place for traffick-

ing with the Indians until 1803, when, as we shall now see, the general government made it a military station, by ordering the erection there of stockade works—Captain John Whistler and his company of the First regiment of infantry of the United States army, then stationed at Detroit, being sent there under order to begin at once, at or near the mouth of the Chicago river, the erection of a stockade fort. The company marched across the country from Detroit under the immediate command of James S. Swearingen, a second lieutenant in the First artillery. He and his men reached the point of destination without accident, while the captain and his wife, their son William and his wife and younger son George W., went by water, sailing in the schooner *Tracy* and arriving at the mouth of the St. Joseph river, in what is now the state of Michigan, in safety. Captain Whistler and his family proceeded thence in a row-boat to where he had been ordered to locate a post. The arrival of the captain and his family, together with the troops under his command, was Chicago's real beginning.

It was now, as the stockade work of the American commander progressed, that Chicago began to receive a distinctive American appearance. His work presented a striking contrast to the few dilapidated huts covered with bark which were not far away. When Captain Whistler arrived at Chicago, there were in the territory belonging to the United States northwest of the River Ohio and west and northwest of the state of Ohio, six forts only, occupied by reg-

ulars. These were so situated that the erection of a post at the mouth of the Chicago river was not only locating a fort at a considerable distance in the Indian country, but there was no American stockade beyond, either westward or northwestward. The exact site chosen for the works was on the south side of the river, at the bend where the stream then turned to enter the lake. As we have already intimated, there were some signs of civilization on the river when the captain arrived; not less than four rude huts were to be seen; these were traders' cabins; three were occupied by French Canadians having Indian wives.

The first thing to be done, so far as the building of the fort was concerned, was the erection of a block-house. By the third of December this was occupied by the commander and his force, consisting of one captain, one second lieutenant, one ensign, four sergeants, three corporals, four musicians, one surgeon's mate and fifty-four privates. The work was named Fort Dearborn. As finally completed, the fort had two block-houses. The whole area, including the parade ground, was enclosed by a strong palisade of wooden pickets.

The winter of 1803-4 must have been a lonely one to Captain Whistler and his garrison, but the spring brought with it a change—at least in social way—in the arrival of the first white American settler where now is the city of Chicago. His name was John Kinzie. He took up his residence just across the stream from Fort Dearborn. He came to his new home as a trader, but he was a

mechanic as well. The wife of Mr. Kinzie, before their marriage, was Mrs. Eleanor (Lytle) McKillip. There was born to them, in December after their arrival, the first white child of American parents (so far as we have any account) on the present site of Chicago—Ellen Marion Kinzie. And now, as there were located upon the banks of the Chicago river a fort and, at least, one *bona fide* white American resident, it is pertinent to our narrative to inquire as to what particular local government had jurisdiction over the Chicago region.

England, by virtue of the treaty of Paris of 1763, possessed the whole of Canada and Louisiana, and in 1774 erected the province of Quebec, which extended so far as to include all the territory south and west of the great lakes, to the Ohio river and the Mississippi. The Chicago river and the whole adjacent country were, therefore, by this act, made a part of that province. But during the Revolution, New York, Connecticut and Virginia set up claims of greater or less extent to portions of this country, which region the United States also claimed as a whole, not only as against Great Britain, but as against the states just named. Strictly speaking, however, Chicago country, until the treaty of peace of 1783, remained a part of the British province of Quebec.

When all the claiming states had ceded their rights to the United States in the territory northwest of the River Ohio, there was passed, as is well known, the Ordinance of 1787 for its government. Out of this territory was formed first the state of Ohio. Beyond this,

extending to the Mississippi and to the northern boundary of the United States, was Indiana territory, including, of course, the present Chicago. On the fourteenth of January, 1803, by a proclamation of the governor of that territory, a county, to which was given the name of Wayne, was formed, the western boundary of which was a "north and south line passing through the most westerly extreme" of Lake Michigan, from a point where it intersected "an east and west line passing through the southern extreme" of that lake, and extending thence north to the territorial boundary of the United States. What is now the site of Chicago was, therefore, at the date of the arrival of Mr. Kinzie, in Wayne county, Indiana territory.

Before reaching his new home, Mr. Kinzie had established, among the different Indian nations with which he had traded, an excellent reputation. He at once on his arrival at Chicago made preparations to extend his business, and before the close of 1804 he had established a trading-house at Milwaukee river. Before the close of that year the garrison in Fort Dearborn had increased slightly in numbers, consisting in all, including officers and privates, of seventy men. By an act of congress approved January 11, 1805, dividing the territory of Indiana and creating an additional one called Michigan, Wayne county, in the former territory, was blotted out, but Chicago still remained under the same territorial government. Although since the treaty of Greenville in 1795 down to the close of 1805, there

had been seven treaties held with the Indians in the west, thereby extinguishing the title to several large districts of country lying in Indiana territory, there had been no purchasing of Indian rights to the Chicago country during that period. The tract, "six miles square, at the mouth of the Chicago river," was all the United States had secured from the savages west of Lake Michigan.

Now, however, that a military post was established on the Chicago river, the general government determined to locate an Indian agency there also, Charles Jowett being appointed the first agent. An agency-house was erected near the fort. The tribes which were required to look to this agency for help were the Pottawattamies, Sacs and Foxes and Kickapoos. A trading-house was also established in Chicago, Mr. Jowett acting as trading-house (or factory) agent. During the year 1806, trade with the Indians at Chicago was considerably increased. Some additions were made to Fort Dearborn, while a few of the garrison had died, reducing the number to sixty-six. The several Indian tribes, under the watchful care of Mr. Jowett, remained friendly, although the seeds of enmity had already been sown, but at some distance from his agency. The governor of Indiana territory was active in his endeavors to preserve peaceful relations with all the nations within his jurisdiction; but Tecumseh and his brother, the Prophet, began to show signs of hostility to the whites. They finally took up their abode near the mouth of the Tippe-



canoe river, a branch of the Wabash, at a place which afterwards bore the name of the Prophet's Town.

By the month of June, 1808, Tecumseh had drawn around him followers to the number of one hundred and forty, employing himself actively among various tribes in forming what he hoped would be a great confederacy. He declared to them that previous treaties between the Indians and the United States were not made with fairness and were void; that no single tribe was invested with the right to sell lands without the consent of all the others, and that it was his and his brother's determination to resist any further attempts which the white people might make to extend their settlements over the lands which belonged to the Indians. At this very time, there was war in anticipation between Great Britain and the United States, and British intrigue and influence were being exerted to stir up the war spirit of the western savages. However, William Henry Harrison, acting for the United States, continued to make purchases of large tracts of land from the Indians, to which proceedings Tecumseh and the Prophet expressed their determined opposition. Finally, the time came when Tecumseh boldly declared he would resist by force the further survey of lands. This was in 1810. The tribes most affected by the wiles of this warrior were the Pottawattamies, Ottawas and Chippewas.

As early as the third of February, 1809, congress passed an act dividing Indiana territory again, so that all of it

lying "west of the Wabash river and a direct line drawn from that stream and Vincennes due north to the territorial line between the United States and Canada, should, from and after the first day of the ensuing month of March, constitute a separate territory to be called Illinois." Chicago, of course, fell into this new division—Fort Dearborn was now in Illinois territory. Captain Whistler still had command there, and the strength of his garrison, in September of the year last mentioned, was seventy-seven men.

By the middle of the year 1810 it was reduced to a certainty, in the mind of Governor Harrison of Indiana territory, that the Prophet was "organizing a most extensive combination against the United States." Governor Hull of Michigan territory became fully aware that "large bodies of Indians from the westward and southward" were visiting continually the British post of Amherstburgh, in Canada, and were there supplied with provisions, arms and ammunition. But just at this time Captain Whistler, at his own request, was relieved of the command of Fort Dearborn, returning with his company to Detroit. Meanwhile, Matthew Irwin was appointed as factor in Chicago, relieving Mr. Jowett of that duty. The successor of Captain Whistler was Captain Nathan Heald. The full force of his company, which took the place of the one relieved, amounted, on the last day of September, 1810, to sixty-seven men, including himself.

At the beginning of 1811, the aspect of affairs in the territories of In-



diana, Michigan and Illinois, so far as the Indians were concerned, was gloomy indeed. Near Fort Dearborn several horses were stolen in the early part of June. Governor Ninian Edwards of Illinois territory declared that block-houses were being erected on the frontier in front of the settlements; and Governor Harrison at Vincennes wrote in July, that a dispatch had been received from the Illinois territory informing him of hostilities and murders on the part of the savages. From Fort Wayne on the east to St. Louis on the west, from Vincennes and Kaskaskia on the south to Prairie du Chien on the north, it was seen, evidently, that hostilities were everywhere imminent. The secretary of war of the United States could not shut his eyes to the danger. Governor Harrison was authorized to call out the militia and to attack the Prophet and his followers, in the event that circumstances should occur necessitating such a movement; he was also authorized to call into the service the Fourth regiment of United States infantry, under command of Colonel John P. Boyd. In the Illinois territory Governor Edwards made strenuous endeavors to hold the savages in check by calling a council with the Indians, especially the Pottawattamies. He assembled Indians of this nation on the Illinois river; however, nothing was accomplished—rather there was an increase of bitterness on both sides.

Meanwhile Governor Harrison was not idle. By the twenty-fifth of September, 1811, a military expedition had been organized, and the next day

the march began against the Prophet's Town. The result was the battle of Tippecanoe, fought on the morning of the seventh of November, Harrison's army being attacked before daylight in a most determined manner by the Prophet and his force; but the victory was with the Americans in the end. The loss of the army was thirty-seven killed and one hundred and fifty wounded. Thirty-eight savages were killed. The result of this conflict destroyed all hopes of Tecumseh and his brother of forming an Indian confederacy, but they resolved, under British influence, to continue the warfare. The Pottawattamies near Fort Dearborn during the whole year professed friendship to the whites, but Captain Heald had not the utmost confidence in their declarations. He held, however, frequent councils with the savages, and sought by every means in his power to preserve peace with them.

The ushering in of the year 1811 did not bring with it, notwithstanding the crushing defeat of the Prophet and his followers at Tippecanoe, high hopes to the Americans that the savages would now return to their homes and hunting-grounds, leaving behind them all thoughts of war. On the contrary, it was plain that everywhere in the Indian country there was a growing animosity toward the Americans and an increasing friendship toward the English. The Indians most inclined to hostility were the Pottawattamies, Winnebagoes, Sacs and Foxes, Chippewas, Ottawas and Kickapoos.

Sometime after the erection of Fort

Dearborn a man by the name of Charles Lee settled with his family "on the Portage branch of the Chicago river, about three miles from the garrison." Here he built a house and "took up a farm." The dwelling was on the west side of the stream and was generally known as "Lee's Place," afterwards as "Hardscrabble."

There were, in all, but five dwelling-houses, at this time, outside of Fort Dearborn: Mr. Kinzie's house, on the north side of the river, as previously explained, and opposite the fort; Mr. Wilmette's, on the same side of the river but a little to the westward; further up the stream was the cabin of a man named Burns, a discharged soldier; the "Lee Place," on the south branch, just mentioned, and the dwelling of Mr. Lee on the lake shore and near the fort (he did not live at this period on his farm).

On the sixth of April, a little before sundown, a party of eleven Winnebago Indians, from Rock river, came to "Lee's Place"—to the cabin of "Messrs. Russel and Lee"—it seems then to have been their joint property. The Indians entered the house and, according to their custom, took seats in silence. But they aroused the suspicions of a Frenchman who was in the employ of Mr. Liberty White, the occupier of the cabin and tenant on the farm. The Frenchman told another hired man, a discharged soldier, that the strangers were "none of their Indians," and that he did not like them. The man, thus made acquainted with the Frenchman's suspicion, spoke to a farm boy who was

present, in a whisper, to follow him and do as he saw him do, but to ask no questions. There were two canoes lying in the river. These were used to go over the stream to get in hay for the cattle. Towards dusk the two set out as if for that purpose, when they were stopped by one of the Indians, who asked them where they were going. They made him understand that their object was to attend to the stock; so they were allowed to go across unmolested.

Once out of sight of the savages, and they hastened toward the fort to give the alarm; but, before reaching the post, they heard two guns discharged—the reports indicating that the firing was at the house they had just left. White and the Frenchman were both killed. The former received two balls through his body, nine stabs with a knife in his breast and one in his hip; his throat was cut from ear to ear, his nose and lips were taken off in one piece, and his head skinned almost as far round as they could find any hair. The Frenchman was only shot through the neck and scalped. "Since the murder of these two men," wrote Captain Heald on the fifteenth of April, "one or two other parties of Indians have been lurking about us, but we have been so much on our guard that they have not been able to get any scalps."

The agency-house was now turned into a fortification for the few settlers outside the fort; and here they were made as comfortable as the alarming state of affairs allowed.

To the end that nothing should be left undone that might be accomplished

to bring the savages back to friendly terms with the settlers in the Illinois territory, Governor Edwards determined to try the efficacy of another council, this time to include not the Pottawattamies only, but the Kickapoos, Chippewas and Ottawas as well. The place of meeting was Cahokia; the time in May. The savages had been disappointed, it was evident, at the failure of the Prophet to keep his promises, and his defeat at Tippecanoe had lessened their faith in his pretensions; they were ready to make every profession of friendship to the Americans. They declared they would never join the British in the event of a war between the United States and Great Britain. How easily broken was this promise, subsequent events at Chicago will clearly show.

At this period there were several bands of Pottawattamies on the Illinois river: that of the chief, Gomo, consisting of about one hundred and fifty men, at the north end of Peoria lake; Pepper's band, at Sand river, about two leagues below the mouth of the Kankakee, consisting of about two hundred men, and of different nations—Pottawattamies, Chippewas and Ottawas; Main Poc's band, seven leagues up the Kankakee, consisting of about fifty men. Upon the River St. Joseph there were three or four villages of Pottawattamies. On the Fox river of the Illinois was another mixed band of Pottawattamies, Chippewas and Ottawas. Their leader was

Wauhunsee. This was a small band, consisting of only about thirty men.

The Kickapoos were divided into three bands: Pamawatanis, consisting of about one hundred men (exclusive of those who were with the Prophet), on Peoria lake; the Little Deers, having, probably, seventy men, also on the same lake, not including those with the Prophet. There were, with the last-mentioned leader, at least fifty of this band, and as many of the Pottawattamies. At Little Michilimackinac, below Peoria lake, was a band, headed by no particular chief, but led generally by warriors. Sulky, as he was called, was generally looked upon as the main chief.

At what was then known as "the camping-place" at Chicago, three leagues from Fort Dearborn, was a village of Pottawattamies, Chippewas and Ottawas of about thirty men. Cowabeemai was their chief. On the Little Calumet was a village, also about five leagues from Chicago, consisting of about one hundred men. Their chief was "Old Campignan." He had a burnt hand and a broken nose. He was, however, reported as being killed in going to Niagara from Detroit. At Milwaukee there were generally several villages. Such was the savage environment of Fort Dearborn immediately preceding a war which, as we shall soon see, brought quickly down upon that post a most cruel disaster.

CONSUL WILLSHIRE BUTTERFIELD.

[To be continued.]

## THE AMERICAN RAILROAD: ITS INCEPTION, EVOLUTION AND RESULTS.

### XIII.

#### A RETROSPECTIVE VIEW.

THE various threads of our story have thus been carried up to the year 1840, and before proceeding into the more extended and less unique occurrences following that date, it seems demanded that some review of the whole field of results should be furnished, with a general view as to the extent and condition of the now well-developed American railway system, with a more connected description as to the relation of each line to the whole, than has yet been possible. While the financial panic of 1837 interfered to a great extent with many of the lines projected, and caused a total suspension of work altogether in many quarters, there was vitality and financial resource left in a sufficient quantity to make the railroad a magnificent success, and to prove that it was one of the great, in fact, the greatest, commercial factor of the century. The spirit in which the results of the first fifteen years of assured success were viewed, is shown—to go a short distance beyond 1840, the retrospective point referred to—by an article in the *Railroad Journal* of 1843, where some pertinent reflections and retro-

spections occur, as to the changes that had been made during the eleven years of that journal's existence. When the first number was issued, in 1832, the following comprised all the railroads then in operation on this side of the sea :

Baltimore & Ohio...60 miles completed and in use.  
 Charleston & Hamburg...20 miles completed and in use.  
 Albany & Schenectady...12 miles completed and in use.  
 Mauch-Chunk...9 miles completed and in use.  
 The Quincy...6 miles completed and in use.

Thus one hundred and seven miles comprised the total, fifteen of which were constructed for special purposes, and hardly to be classed as railroads in the modern meaning of the term. So little could then be said upon the subject—when so little had been done or attempted—that the editor felt moved to announce that only a part of the *Journal* would be devoted to the subject of internal improvements, the main portion to be filled with general and literary matter. Throughout the entire first volume but three advertisements, excepting notices to contractors, were to be found. As the subject grew in



interest to the public, his patronage grew, and ere long the editor was flooded with all the railroad information he could take care of.

"Let us now," continues the *Journal*, "compare the present state of affairs with this humble commencement. There are now between four and five thousand miles of railroad in use in the United States, built by the expenditure of nearly one hundred millions of dollars. There are now probably more than five hundred locomotive-engines in use, nearly all of them made in this country. Eleven years ago the few engines in use were imported from England, and were of the oldest patterns. Since then fifty or more American engines have been sent abroad, some to Russia, some to Austria and several to England. Had this fact been predicted, even in the most indirect manner, in the first number of the *Railroad Journal*, it would have sealed its doom. Eleven years ago a dead level was, by many, deemed necessary on a level, and grades of thirty feet to the mile were hardly thought admissible. Now engines are in daily use which surmount grades of sixty and eighty feet to the mile. Eleven years ago inclined planes with stationary power were considered the *ne plus ultra* of engineering science. Now they are discarded as expensive, inconvenient and incompatible with the free use of railroads. Eleven years ago it was thought that railroads could not compete with canals in carrying heavy freights; and even much more recently statements to this effect have been put

forth by authority. Now we know that the most profitable of the eastern railroads derives one-half its income from bulky freight, and that coal can be carried more cheaply upon a railroad than in canals. Eleven years ago the profitableness of railroads was not established, and, discouraged by the vast expenditure in several cases of experiment in an untried field, many predicted that they would be unprofitable. Now it is already demonstrated by declared dividends, that well-constructed railroads, when divested of extraneous incumbrances, are the most profitable investments in our country. . . Eleven years ago there were but six miles of railroad in use in the vicinity of Boston. Now Boston has direct connection with a web of railways one thousand, two hundred and three miles in length, all of which, except about twenty-four miles, are actually in use, being a greater length of railroad than there was in the whole world eleven years ago."

An interesting statement\* was placed upon paper in June, 1839, at Cincinnati, by F. A. Chevalier de Gerstner, an intelligent and able Austrian engineer, who had been largely engaged in the construction of the Belgian railroads, and had spent considerable time in a careful and intelligent examination of the various lines upon this side of the sea. His chances for observation were unusually excellent, and his conclusions are valuable and undoubtedly correct. "I

\* See 'The American Almanac,' 1840, p. 124. Reference to this report has been briefly made heretofore.



left Europe last fall," he said, "and arrived in the *Great Western*, on the fifteenth of November, 1838, at New York. After a short stay of a few days, I went to Albany and inspected all the railroads between that place and Lake Erie; I then proceeded to the eastern states and visited all the railroads in Massachusetts, and went by way of New York, Philadelphia, Baltimore, Washington, through Virginia, North Carolina, South Carolina, Georgia and Alabama, to New Orleans, always visiting the railroad lines in the different states. I then went up the Mississippi and Ohio, and am now inspecting the internal improvements of the western states, and some of those in Pennsylvania, which I have not yet seen.

"I have already passed over more than two thousand miles of railroads, and have everywhere been received with the greatest kindness; the presidents, directors and engineers of the different railroad lines gave me not only all their printed reports, but laid before me, with the greatest liberality, their books and accounts, in order to give me every kind of information. I fulfill only my duty when I publicly acknowledge that such a liberality is only to be found amongst a free and enlightened people, where all public works are based on the principles of publicity and where secrets do not exist. I wish, therefore, to make those gentlemen, to whom I am so much indebted, another communication, which will show, at the same time, what has been done during the last years in Europe. . . ."

M. de Gerstner adds a variety of fig-

ures as to the average cost of the American roads, rates of passage, number of travelers, etc., which are invaluable, as illustrating the economic point to which the railroad had then arrived. The most important of his figures are as follows:

Cost of construction: A mile of road, with a single track, and the necessary buildings and outfit, cost \$20,000.

Tariff: Passengers paid, on an average, five cents per mile.

Speed: Passengers were conveyed with a speed of from twelve to fifteen miles an hour, stoppages included.

Traffic: Thirty-five thousand passengers through, and fifteen thousand tons of goods carried annually.

Gross income: On an average per mile and per year, as follows: From thirty-five thousand passengers, at five cents, \$1,750; from fifteen thousand tons of goods, at seven and one-half cents, \$1,125; from mail and contingencies, \$200; a total of \$3,075.

Expenses per mile of travel: One dollar.

Number of passengers per trip: Forty passengers through.

Number of trips per year: By dividing thirty-five thousand by forty we obtain eight hundred and seventy-five as the average number of passenger trips per year.

Expenses per passenger per mile: Two and a half cents.

Annual current expenses: For transportation of thirty-five thousand passengers, at two and a half cents, \$875; for transportation of fifteen thousand tons of goods, at six and one-half cents, \$975;

for transportation of the mail and other expenses, \$100; total, \$1,950, or \$63.41 of every \$100 gross income.

Interest on the capital invested: Annual average gross income, per mile of road, amounts to \$3,075; the annual current expenses to \$1,950, leaving \$1,125, which, compared with the cost of a mile of road (\$20,000), give five and one-half per cent. interest.

Toward the end of this decade of 1830-1840, there appeared in the *North American Review* an article\* which gave, in an abridged and compact form, a bird's-eye view, so to speak, of the general railroad system of the country, showing the progress already attained in the great work of connecting east and west and north and south with iron bands, and the plans then well under way for further steps in the same direction. It supplies in detail what the Belgian engineer above quoted gives us in mass, and I shall freely borrow not only from its information, but language as well. The various works contemplated in the plan of M. Poussin, and followed by his reviewer, are classed under two heads: first, those which form the line of the Atlantic; and, second, those which lead from places on the Atlantic to the interior. "The works of the first of these classes," says the reviewer, are destined to form, "with the addition of a few connecting links of steam navigation, a line of communication from

Portland, in Maine, to Wilmington, in North Carolina, a distance of nine hundred miles. Over eight hundred miles of this distance, viz., from Boston to Wilmington, as soon as the works now commenced shall be completed, the ordinary passage will probably be performed in four days, without night traveling. The works of the second class, some of which are projected on a most magnificent scale, besides a great number of railroads leading from towns on the sea-board to places in the interior of the same state, or an adjoining state, embrace not less than six or seven lines of communication from cities on the Atlantic to the navigable waters of the western states. To form an idea of the true character of these works, and of the bearing which they are destined to have on the future prosperity of the country, it is necessary to look at them as parts of the grand system of improvement to which they respectively belong, and to take notice of some of the parts of the system which are not yet completed, or even in the actual process of execution. We shall, therefore, take a hasty review of the principal projected systems of improvement, taking care to distinguish those which are completed and in actual operation from those which are in progress, and then again, from such as are merely projected." With this explanation the author proceeds to the direct discussion of his subject:

In New England, the line of the Atlantic will begin at Portland, or perhaps at Bangor, and proceeding near the sea-coast, through Saco, Portsmouth, Newburyport and Salem, to

\* *North American Review*, 1837, p. 435. The article is a review of a celebrated French work, '*Chemins de Fer Américains; Historique de leur Construction; Prix de Revient et Produit; Mode d'Administration adopté; Resume de la Legislation qui les regit.*' Par Guillaume Tell Poussin.

Boston, will continue its course through Providence to Stonington, and after crossing Long Island sound, where it is twenty-five miles in width, it is proposed to carry it along nearly the whole length of Long Island, through Jamaica, to Brooklyn, near the city of New York. This will constitute the immediate sea-coast line. But there will be others through a great part, and perhaps the whole of the distance, a little farther inland, namely, from Portland through Dover, Exeter, Haverhill to Boston, thence through Worcester to Norwich or New London, and thence by steam navigation to New York, and also from Boston through Worcester, Springfield, Hartford and New Haven, by a connected series of railroads, to New York. Of the series of works which will form this double and triple line of communication along the coast of the New England states, four are already complete, viz., from Boston to Providence, from Boston to Worcester, from Boston to Andover, including a part of the Lowell railroad, making an extent of a hundred and twenty miles, and six others are commenced and in active progress, by organized joint stock companies, viz., from Providence to Stonington, from Boston to Newburyport, from Andover to Haverhill, from Worcester to Norwich, from Worcester to Springfield and from Hartford to New Haven, making a farther extent of two hundred and twenty miles. The series will thus far be finished in the course of two or three years, and the other portion of the line described, there is reason to believe, will, in great part,

at least, be completed at no remote period thereafter. When these lines of railroad are completed, the ordinary passage from Portland to Boston will be performed in about six hours, and that from Boston to New York in twelve. The projected railroads between Boston and New York will present to the traveler a choice among three routes: one way by Providence, Stonington and Long Island, which will give about one hundred and ninety miles of land travel and twenty-five of steam navigation; one way by Worcester, Norwich and Long Island sound, which will give one hundred and three miles of land travel and one hundred and twenty-five of steam navigation, and a third by way of Worcester, Springfield and New Haven, with two hundred and twenty-five miles of land and steam, or continued land travel. The difference of time required for the three routes will not be sufficient to give a decided precedence over the other two, to those who may take an interest in viewing the country passed through. Any one of the routes will reduce the passage, from Boston to New York, to an easy day's journey, the whole of which is usually performed by daylight.

In proceeding southwardly from New York, we find two distinct lines of railroad uniting that city with Philadelphia. The first of these is the Camden & Amboy railroad, constructed with a double track and leading from the port of South Amboy, in a southwesterly direction, across the state of New Jersey, a distance of sixty miles, to Camden, on the easterly banks of the Delaware,

opposite the city of Philadelphia. The passage from New York to Amboy is made by steamboat navigation, a distance of twenty-five miles, through an inland passage, which separates Staten Island from the shore of New Jersey. The passage from New York to Philadelphia is made in five and a half hours.

The other line is entirely distinct from that just described. It is of about the same length and leads from the ferry opposite the city of New York, through the city of Newark and the towns of Brunswick and Trenton, directly to the city of Philadelphia. This line consists of three distinct railroads, united in one line: one extending from the ferry to New Brunswick, the second from New Brunswick to Trenton, and the third from Trenton to Philadelphia. The second of these roads is not yet finished; the other two are in full operation. This route will have the advantage of passing through the principal cities of New Jersey, while the other passes directly through a very barren and desolate region. In continuing the Atlantic line from Philadelphia to Baltimore, there will also soon be a choice of several routes. That which has hitherto been chiefly traveled is the Newcastle & Frenchtown railroad, which extends only across the peninsula from the Delaware river to Chesapeake bay, a distance of sixteen miles, and serves as a connecting link of a chain of steamboat navigation, by which the rest of the passage is made from Philadelphia to Baltimore. The distance by the course of the steamboat from Philadelphia to Newcastle is thirty-five miles,

and that from Frenchtown to Baltimore nearly double, making the whole distance from Philadelphia to Baltimore one hundred and twenty miles. The time usually occupied in making the passage is from ten to eleven hours, that part of it made by the railroad occupying one hour. Another distinct route, from Philadelphia to Baltimore, yet unfinished, but a great part of it nearly ready to be put in operation, consists of three railroads, the first leading from Philadelphia to Wilmington, in Delaware, the second leading from Wilmington, by the way of Elkton, to the Susquehanna river, and the third from Port Deposit, on this river, to Baltimore, the whole distance being one hundred miles. A part of this road, extending from Wilmington to Elkton, a distance of seventeen miles, has been quite recently opened. The work on the other portions of the road is far advanced, and it is anticipated that it will be opened early in the present summer. When the whole is completed, the passage upon it, between the two cities, will be performed in about six hours. Still another route has been projected, pursuing the Columbia road from Philadelphia, a distance of forty-five miles, and diverging thence by a new railroad from Coatsville, by Oxford, to Point Deposit, and proceeding thence to Baltimore by the route above mentioned. This route is less direct than that last described, and the distance thereon will be a hundred and twenty miles.

From Baltimore, the Atlantic line extends to Washington, a distance of thirty-eight miles. This road consists



of a double track, and is identical for a distance of eight miles with the Baltimore & Ohio railroad. It is usually traveled in about two hours and a half. Thus the whole distance from Boston to Washington is traveled, nearly in a direct course, either by railroad cars or by steam navigation; and before the end of the present year, it is probable that the whole distance from New York to Washington may be traveled by railroads, and in the space of fourteen hours. From Washington, the Atlantic line of railroad extends in a southerly direction through the state of Virginia. From the city of Washington, the Potomac runs for about forty-five miles, in nearly a direct southerly course, to Potomac creek. This part of the river is well adapted to steam navigation, and on this part of the line no railroad has yet been commenced. A charter has been granted for a railroad from the city of Washington, passing through Alexandria, to Fredericksburgh, with the right of making a branch to Warrenton. Books have been opened for subscriptions to the stock, but the company is not yet organized. From Fredericksburgh to Richmond, the railroad is already built and in successful operation. It is sixty-one miles in length, and is traversed daily by passenger-cars, carrying the mail, in something less than four hours. It is proposed to extend this road from Fredericksburgh to Potomac creek, a distance of seven miles, unless the Fredericksburgh & Washington road is immediately prosecuted, in which case the extension will be rendered unnecessary. In proceeding south-

wardly from Richmond to Petersburg, the railroad line is not yet completed. A company is formed for the construction of a road, the distance being about twenty miles, and the work is considerably advanced. The want of this part of the line is less felt, in consequence of the steamboat navigation between these two places, by the circuitous channel of the James and Appomattox rivers. The completion of the railroad on this part of the route will materially shorten the line of travel. Between Petersburg and the Roanoke the railroad is already completed. This is one of the first, and it is one of the finest, railroads in the country. It is fifty-nine miles in length, and it forms a channel for the transport of the produce of the rich Valley of the Roanoke to a market at Petersburg. It is regularly traversed by locomotive-engines, and the mail is daily transported upon it. Besides the route just described, passing through Baltimore, Washington and Richmond to the Roanoke, and terminating near the northern border of North Carolina, there is another, called the Eastern Shore and Norfolk route. It is proposed to construct a railroad which shall diverge from the Wilmington & Susquehanna road near Elkton, and after proceeding in a southerly course, and nearly in a right line, over a very level country, near the eastern boundary of Maryland, to Princess Ann, terminate at Tangier sound, near the southern border of the state. The length of this railroad will be one hundred and eighteen miles. To continue the line of



communication from Tangier sound to Norfolk and Portsmouth, it is proposed to establish a line of steamboats, to run daily, a distance of eighty-five miles. At Portsmouth, a railroad is already constructed, leading thence westwardly to Weldon, on the Roanoke river, near the termination of the Petersburg road, a distance of seventy-five miles. On this road a train of cars runs daily, receiving passengers who leave Halifax by stage-coaches in the morning, and conveying them to Portsmouth before dinner, where they embark in the steamboats, which now run to Baltimore and Washington. By means of this route, Norfolk shares with Petersburg in the trade of the Roanoke valley, and, should the project of the Eastern Shore railroad be carried into effect, this city will be placed on the shortest line of communication along the shore of the Atlantic.

At the Roanoke river terminates the Atlantic line now in operation, but it is in a fair way to be soon extended from this point, in one direction to the centre, and in another to the southern extremity of the state of North Carolina. A company is formed for constructing a railroad from the termination of the Petersburg & Roanoke railroad at Weldon, in a southwesterly direction from Halifax, to Raleigh, a distance of eighty miles. The road is laid out and the work upon it is in active progress. Another company is formed, called the Wilmington & Raleigh Railroad company, by whom a railroad is laid out and the work upon it begun, leading from Halifax, on the Roanoke, in a southerly direction, one hundred

and sixty miles, through the whole width of the state, to Wilmington. It is proposed to construct branches leading from this road to the Raleigh & Fayetteville, and also a branch to Newburn and Beaufort. From Wilmington it is proposed to continue the line of travel, by steam navigation, to Charleston, a distance of one hundred and sixty miles. There are also projects for extending the line of railroad from Raleigh to Charleston, a distance of two hundred and fifty miles, or to Columbia, one hundred and eighty miles, and thence to Augusta, in Georgia; but they have not yet assumed such a shape as to authorize any confident expectation that they will soon be carried into execution.

"We proceed," continues the Review writer, "to notice the principal railroads included in the second class, the most important of which are such as form lines of communication from the shore of the Atlantic to the navigable waters of the western states. The first and one of the most important of these lines begins at the city of Boston, passes westerly, through the whole length of the state of Massachusetts, to West Stockbridge, and thence through the greatest length of the state of New York, by the way of Albany and Utica, to Buffalo, the principal port on Lake Erie, and thence, by the southeasterly shore of the lake, to the town of Erie, in Pennsylvania, the whole length being about six hundred miles. This extensive line will consist of no less than eleven distinct works, constructed by that number of independent companies,

each with the right of entire control over its own portion of the line, but so connected with one another that the same engines and cars may run, if occasion should require it, from one extremity of the line to the other with the single interruption of a ferry at Albany. Of the eleven portions of the line, three are already completed and in full operation, embracing some of the most difficult and expensive parts of the route. Three others, embracing the remainder of the difficult parts of the work, are in progress, the whole capital deemed necessary being secured, and portions of the work under contract. The five remaining companies, having in charge parts of the line between Utica and Erie, are either recently organized, or are now engaged in completing the subscriptions to their stock. The comparatively small expense at which this western part of the line may be built, and the entire success of the Utica road, leave no doubt that this remaining portion, at least as far as Buffalo, will be completed at no remote period. The several works which compose this line are, first, the Boston & Worcester railroad, which leads from a convenient point on the harbor of Boston to the centre of the town of Worcester, a distance of forty-four miles. It consists, at present, of a single track, but it is of sufficient width for another track whenever it shall be found necessary. It is built of the edge-rail, weighing forty pounds to a yard, supported by cast-iron chairs on cross-sleepers of cedar, which rest on a bed of stone rubble. Although it passes

through a hilly country, crossing the principal streams between Boston and Worcester, with the heights of land which lie between them, and reaches an elevation, at Worcester, of four hundred and fifty feet above the level of the sea, it has no ascents greater than thirty feet in a mile, and has little curvature, except in the city of Boston, near its terminus, of less radius than two thousand feet. The cost of this road, including the extensive buildings and depots in Boston and Worcester and the intermediate towns, with a liberal supply of locomotive-engines and cars, was a million and a half dollars. The time usually occupied in making the passage from Boston to Worcester is three hours, including the time lost in stopping at ten intermediate places for receiving and discharging passengers. It has been found by experiment, that the passage may easily be made in two and a half hours by a slight increase of speed and by curtailing the periods of stopping; but a regard for the convenience and comfort of passengers has led us to the adoption of the rate of traveling above mentioned, viz., fifteen miles an hour, including the time lost in stopping once in every four miles. It is also found by experience on this road, as well as on the Providence and Lowell railroads, that twenty miles an hour, without including stops, is a safe rate of traveling, agreeable in its effect on passengers and easily maintained by the engines in use on all these roads. A much swifter rate is practicable, but it is hardly consistent with a regard for the safety of

the passengers. From these facts it may be assumed that on a long line of well-constructed railroads, on which the long travel is sufficient to justify the maintenance of passenger trains running through the line, without frequent stops for the accommodation of the way travel, the usual speed will be nearly equal to twenty miles an hour, or at least a hundred miles in six hours. At this rate the passage will be made from Boston to Albany in twelve hours, and from Boston to Buffalo, or Niagara, in thirty hours, or two days, in the summer season, traveling by daylight only.

The second link in this chain of communication is the Western railroad, extending from Worcester, through Springfield, to the line of the state of New York, at West Stockbridge. For the construction of this road an incorporated company is formed, with a capital of three millions of dollars, of which one million is subscribed by the state of Massachusetts. The conditions of this subscription are that assessments shall be paid on stock belonging to the state, in the same proportion that they are levied on that belonging to individuals, and three of the nine directors are appointed by the legislature. Three assessments, amounting to \$450,000, have been paid. A part of the road, extending twenty miles west from Worcester, across the highlands, which have been denominated the backbone of the state, has been put under contract for the grading and the masonry. It is understood that some parts of the line, in crossing the highlands, will be formed with an inclination of forty feet

in a mile. The rest of the line, along the Valley of the Chicopee river to a point near Springfield, is comparatively easy of construction, and will be formed on a gradual and almost uniform descent. This part of the route is in readiness to be put under contract, and it is presumed the work will be in progress throughout the line early in the present season. The length of the line from Worcester to Springfield is fifty-four miles, and from Boston to Springfield ninety-eight miles. Investigations and surveys have been industriously prosecuted on various routes from Springfield to West Stockbridge, preparatory to an early location of that part of the line. A considerable portion of the route being yet undetermined, it is not possible to say what will be the precise length of the line, but it may be assumed at not far from sixty-two miles. For the same reason no precise estimate of the cost of the whole road can as yet be made; but as a greater part of the line will follow the channels of the two principal streams, and as the whole line will probably conform more nearly with the natural surface of the ground than the Boston & Worcester road, on which there is much deep excavation, frequently through rocks, it may be fairly presumed that the cost will be less in proportion to its length than that of the latter road. It will also be exempt from the high charges for land and damages, to which the latter was subjected in and near the metropolis. From these considerations, it may be presumed that the amount of capital already secured will be sufficient for the completion of the work.

The third link in the chain consists of the Albany & West Stockbridge railroad. This is already in progress by a company formed at Albany, under a charter from the legislature of New York. It has a capital of \$650,000, of which \$250,000 are subscribed by the city of Albany in its corporate capacity. This fact shows the deep interest which the citizens of that town take in the opening of this new channel of communication with the county of Berkshire, and with the whole of Massachusetts and the other New England states. The business transactions now carried on between the county of Berkshire and the ports of the Hudson river are very extensive, and it is reasonable to anticipate that they will be much increased by the facilities which this work will afford. In reliance upon the extent of this business, the people of the city of Hudson have also undertaken the construction of a railroad leading directly from that city to West Stockbridge, and to be united with the Western railroad, near its junction with the Albany road. These two roads will thus give to the travel and trade from Massachusetts a double outlet to the Hudson river. The directors of the Albany road, after a thorough examination of a number of routes, one of which followed for some miles the course of the Hudson road, finally selected one leading through New Lebanon, which reaches Greenbush, on the eastern branch of the Hudson, opposite the city of Albany, in a distance of forty-one miles and three-quarters. This route has no descent or ascent greater than

forty feet in a mile, and no curve of less radius than two thousand feet. This distance, added to the probable length of the two roads in Massachusetts, will make the whole distance from Boston to Albany about two hundred miles.

The next section of the line, in proceeding westward from Albany, consists of the Hudson & Mohawk railroad, which terminates at Schenectady, a distance of sixteen miles. This road was built several years since, with two tracks, at a cost of \$1,100,000, amounting to nearly \$70,000 a mile. The greater part of the road is made either level or with planes of moderate inclination. It has, however, two planes, one near Albany of a thousand yards in length, and one near Schenectady of near seven hundred yards, each of which inclines from a level at the rate of one-eighteenth, and each requiring a stationary steam-engine to enable the trains to traverse them. These two inclined planes subject the company to an extra expense of twelve thousand dollars a year. Notwithstanding the heavy expense of this road and these disadvantages of location, it is a productive property to the proprietors, though, on account of its heavy cost, not equal in value to the anticipations of its projectors. The next section, extending from Schenectady to Utica, a distance of seventy-seven miles, was opened on the first of August last, under more flattering auspices. It was built with a single track in a comparatively short period of time, and at a cost, including eight locomotive-engines, and embracing a heavy expenditure for the purchase of land



and for damages to a turnpike company, not exceeding a million and a half of dollars, or about twenty thousand dollars a mile. On the celebration of the opening above alluded to, four hundred gentlemen left Albany in eighteen cars, drawn by two locomotives, and, after passing over the Mohawk road and stopping occasionally along the Utica road to receive the congratulations of its friends, reached Utica for dinner. After dinner they returned to Schenectady in less than four hours, and, deducting the aggregate of the stops, in three hours and twenty-one minutes, being a rate of twenty-three miles an hour. They then proceeded to Albany, where they arrived about sunset, having completed a journey of one hundred and eighty-eight miles within the day, and devoted some hours to the festivities of the occasion. From the date of the opening two trains of cars, drawn by locomotives, have left each end of the road daily, one in the morning and the other at noon. The receipts within the two months from the opening amounted to an average of near twelve hundred dollars daily. This was from the fare of passengers only, the company being forbidden by their charter to carry freight, except in winter, lest it should detract from the income of the Erie canal, which runs parallel to it and is the property of the state. The next section of the line runs from Utica to Syracuse, a distance of fifty-four miles. A company has been formed for the construction of this road with a capital of \$800,000; but we do not learn whether they have made any progress

in the execution of the work. The route is entirely level, the canal between the two towns being constructed without a single lock. A company is also formed, with a capital of \$650,000, to construct a railroad from Utica to Oswego, a port from which steamboats regularly take their departure from the principal ports on the lake, and from which there is a continued navigation, through the Welland canal, to Lake Erie and the upper lakes. The next succeeding section of the great western line extends from Syracuse to Auburn, a distance of twenty-six miles. The maximum of inclination is thirty feet in a mile, and there is no curvature of less radius than fifteen hundred feet. The construction of this road was some time since commenced by a company with a capital of \$400,000, more than half of which has been already expended on the work. The rails are contracted for, to be delivered in May next, by which time it is anticipated the grading and masonry of the road will be completed. The eighth section of the line extends from Auburn, by way of Geneva and Canandaigua, a circuitous course to Rochester, a distance of seventy miles. The cost of this road is estimated by the engineer at \$820,000, if built with a single track, and \$1,013,000 if with a double track. The stock of the company is taken up to the amount of \$1,200,000, and they have a right by their charter to increase it to \$2,000,000. The two next sections extend from Rochester to Attica and from Attica to Buffalo. Companies are organized for the construction of these two roads, but



their progress hitherto is limited to the making of surveys. The route is not difficult or expensive. On the Attica and Buffalo section the greatest inclination will be thirty-five feet in a mile. A company is formed for the construction of the railroad from Buffalo to Erie, with a capital of \$650,000, the whole of which is subscribed.

We have been thus particular, explains the reviewer, in the description of this line of railroads on account of the effect it is destined to have on the interests of the east and west. It opens a channel by which the currents of moving population and the tide of commerce may flow backward and forward between the manufacturing states of the east and the agricultural regions of the west, in place of a mountain barrier which has hitherto turned the course of both towards the Atlantic. It is easy to foresee that the benefits which must result from it to the inhabitants of each extremity must be of the most striking character. Whether we regard it as merely opening new sources of wealth, or as extending the means of social intercourse and strengthening the bonds of union between distant states, we cannot place too high an estimate upon its advantages. Some of the other lines of communication promise similar results to the tracts of country which they are intended to serve. But we shall be obliged to dispatch them with a more cursory notice.

The next line of railroad from the Atlantic to the western states is the New York & Erie railroad. This road will commence at Tappan, on the west-

ern shore of the Hudson river, twenty-four miles from the city of New York, and, after running northwesterly and westerly within the state of New York, near the northern boundary of New Jersey and Pennsylvania, a distance of near five hundred miles, it will terminate at Dunkirk, a port on Lake Erie. It is estimated that the road will cost six millions of dollars. A capital of \$1,800,000 has been subscribed by individuals, and the legislature of New York has agreed to make a loan of \$3,000,000, certain portions of which are to be advanced on the completion of specified portions of the road, the last million not to be paid until the whole road, with a double track, shall be completed. Books are open to increase the subscription of capital to \$3,000,000. In anticipation of the advantages which will result from the enterprise to the proprietors of real estate at the western termination of the route and other places west of the Genesee river, large donations of land have been made to the company, which are valued at one or two millions of dollars. These donations have enabled the company to offer to those who now are, or who may become, subscribers to the stock, six per cent. per annum, until the year 1841, on all sums which shall be called in on their respective subscriptions, up to that time, to be provided by sales, as far as may be necessary, of these lands. This offer has been made with the further proviso, that the residue of the lands which shall be unsold in 1841 shall be divided among the holders, at that time, of the three millions of stock. It is

anticipated that by that time the work will be so far completed as to admit of an income being derived from the road itself. This is a magnificent project, which must be productive of important results, in increasing the business of the city of New York, and in giving a new accessible frontier, along the whole length of the state, and thereby producing a vast accumulation of valuable property within its limits. Should it far exceed the estimate which has been made of the cost, these advantages will fully justify the expenditure.

On proceeding southwardly to Philadelphia, we meet a third projected system of western railroads leading from that city to the Ohio river and Lake Erie. There are already completed and in full operation in Pennsylvania eight hundred and eighty-six miles of canal and three hundred miles of railroad; a part of which is the property of the state, and the rest the property of incorporated companies. There are in the process of construction three hundred and five miles of canal and four hundred miles of railroad, and there are besides many works projected of both descriptions which are not yet commenced. Among the works completed is a line consisting partly of railroad and partly of canal, belonging to the state, leading from Philadelphia to Pittsburgh. This line of works, though of great utility, does not admit of that rapidity of communication which is found desirable, and which is afforded by a continued line of railroads. The public attention has, therefore, been lately directed to the importance of a con-

tinued railroad leading not only to the Ohio river at Pittsburgh, but to Lake Erie. No definite route, however, has yet been designated for this road, and no plan is matured for the construction of it in its whole extent. It is proposed that it shall consist in part of some of the works already constructed. The principal of these is the Columbia railroad, which extends from Philadelphia to Columbia, a distance of eighty miles, and is constructed with a double track. A branch diverging from this road at Lancaster and extending to Harrisburg, the seat of government of the state, is nearly finished. A bill is now before the legislature for authorizing a further extension of this line from Harrisburg to Sunbury, and it is proposed to make a still further extension from Sunbury to Williamsport. A convention of delegates from the counties of the state was lately held in Northumberland, which recommended an application to the legislature for the incorporation of a company, with adequate capital, to construct a railroad from Lake Erie, by way of Williamsport, to Sunbury, thus completing the line to Philadelphia. Various other measures have been adopted which show a strong direction of the public mind towards the attainment of the main object in the manner which shall be found, on investigation, to be the best. Some of the projects recommended tend towards the town of Erie, as the point of western termination, and others toward Cleveland, in Ohio, by way of Pittsburgh and Beaver. It is, perhaps, safe to infer that, considering the ample means for the attain-

ment of this object possessed by the people of this great state and the stimulus which their patriotism is likely to receive from witnessing the continued progress of the New York & Erie road, on their northern border, and tending to divert a portion of the business of the west from their own capital, these projects will not be suffered to remain unexecuted. The mineral treasures of the state are alone sufficient, in many places, to support these works as mere local improvements for rendering the mines accessible. In this respect the mountainous regions of Pennsylvania possess a decided advantage over those of New England.

The next line of railroad leading from the Atlantic to the waters of the west, is the Baltimore & Ohio railroad. This may be considered the pioneer railroad of the country. It was not only the first which attempted to traverse the Allegheny, but it was the first railroad of any magnitude in the United States. It has met with impediments to the attainment of its main object, the crossing of the mountains, of a most vexatious and embarrassing character, from coming in conflict with a rival improvement, the Chesapeake & Ohio canal, which had preoccupied the only channel through which it could pass. These impediments are at length removed, by an adjustment by which both works will pass, side by side, through the same channel, at a considerable increased cost to the railroad. In the meantime the directors of the road have learned much from their own experience, as well as from other sources,

respecting the best methods of laying out, constructing and managing a work of this description. From this experience, and from improvements made by their officers, the country has derived great benefits. They can now proceed in the extension of their road towards the east to much greater advantage than they could have done six or eight years ago. Several points in the science of railroads, which were then either unknown or not generally admitted, are now considered as settled axioms. Such are the following: Slight deviations from a level, in the surface of the road, are not to be regarded as serious defects, as they form an advantage, in many situations, in the draining of the road, sufficient to counterbalance the slight evil arising from the inequality of the draft, required on the ascending and the level or descending portions of the road. Short curves are defects of a more serious nature than they were esteemed by the engineers who laid out the Baltimore & Ohio railroad; and even a slight degree of curvature, although it may not be felt in the motion of the train, tends to increase the wear of wheels and axles. Much steeper inclinations can be advantageously traversed by locomotive power than was formerly thought practicable. This fact has been satisfactorily established by experiments made on the Baltimore & Ohio railroad, and by experience elsewhere. It results from this discovery, that inclined planes, with stationary power, may be dispensed with on many routes, where formerly they would have been deemed indispensable; yet, the

limit to which this principle may be carried remains to be tested by experience. Locomotive-engines are found to be so decidedly superior as a motive power for the transport of either freight or passengers, that the use of horses may be entirely superseded by them on all works of any magnitude. They are cheaper, less hazardous, more manageable and injure the wood less. The iron edge-rail resting on cross-sleepers is preferable to the flat rail laid on a continuous support of either iron or wood. These and certain other truths, which could be learned only from experience, had they been known before the commencement of the Baltimore & Ohio railroad, would have enabled the enterprising projectors of that road to make a great saving in some of their items of expenditure.

The Baltimore & Ohio road is completed with a double track from Baltimore to Harper's Ferry, with a branch to Fredericktown, at a cost of \$3,474,600. There is, beside, a branch diverging from it, at a point eight miles distant from Baltimore, to Washington, built at an additional cost of \$1,588,899. This branch last year produced a net income of five per cent., exclusive of a fifth part of the whole receipts from passengers reserved as a bonus to the state. From Harper's Ferry a railroad has been built, by an independent company, extending to Winchester in Virginia. This road is connected with the Baltimore & Ohio railroad by a continuous track by means of a viaduct across the Potomac river, which has just been opened for the passage of locomotives and cars.

Surveys have been made for the extension of the Winchester railroad as far as Staunton, which, when completed, will form a railroad route from Baltimore of two hundred and fifteen miles in length. Surveys have been industriously prosecuted, within the last two years, for the extension of the Baltimore & Ohio along the Valley of the Potomac, in conjunction with the canal, and to the summit of the Alleghany mountains, with a view of continuing them thence to both Pittsburgh and Wheeling. The engineers report with confidence that the mountains between Cumberland and the western waters can be passed, without the use of stationary power, by locomotive-engines and their trains. The company has attained, by virtue of acts of the legislature of Maryland and of the city council of Baltimore, subscriptions to their stock to the amount of three millions of dollars on account of the state, and an equal amount on account of the city. With these liberal additions to their capital stock, and with such aid as may be anticipated from the citizens of Pittsburgh and Wheeling, there is reason to believe that ample means will be provided for the completion of the enterprise. No definite location of the route has been made, and consequently neither its length has been ascertained, nor its cost accurately estimated. The completion of the road is a very important end to be attained, not only to the individual stockholders, but to the city of Baltimore and the state; for they are deeply interested in the income of the road, and in the effects it is expected to produce on the business



of the city and state. The work, as it is at present situated, is but an insignificant fragment of the whole, and it must remain, until finished, comparatively unproductive. Unlike the first western line heretofore described, it passes through no dense population which can give it an adequate support, independently of that on which it will ultimately rest—the traffic and population of the western country.

Another trans-Alleghenic railroad is projected in Virginia. It has two terminations on the Atlantic, one at Richmond and the other at Norfolk. From these two lines proceed, one toward the sources of the James river, by way of Farmville and Lynchburgh, and the other by the Valley of the Roanoke. The last-named branch is to consist of the Portsmouth & Roanoke railroad, already described, the Greenville & Roanoke railroad, extending to Danville, a distance of one hundred and seventy-two miles, and the Danville & Junction railroad to Evansham, one hundred and thirty-seven miles in length. At some point between Danville & Evansham the two lines will probably unite, and will proceed to near the source of the Holston river, and, pursuing the channel of this stream to near the southwestern corner of the state, will pass into Tennessee, and terminate on the navigable waters of the Tennessee river. From Lynchburgh, across the Blue ridge, the Alleghany ridge, and the ridge between New river and the Holston, two surveys have been made, by direction of the Lynchburgh & Tennessee Railroad company, and the cost is estimated at \$14,000 a mile. A survey of the other route has been made, and the cost of the two roads, from the termination of the Portsmouth & Roanoke road to Evansham, is estimated at \$5,254,000. Both routes are pronounced by the engineers practicable for locomotive-engines. The legislature of Virginia has granted to the James River & Roanoke company the right to construct a railroad from Richmond to Lynchburgh, and that company has voted to construct it as soon as the Lynchburgh & Tennessee railroad shall have been commenced, and has instructed the directors, in that event, to open books of subscription for the necessary stock. It is anticipated that the Lynchburgh & Tennessee will unite, near its southwestern termination, with the Charleston & Cincinnati railroad, and thus enable the state of Virginia to share in the benefits of that great work. It is proposed, also, that it shall unite with the line of steam navigation on the Tennessee river, which, with the exception of the interruption by the muscle shoals, extends to the Mississippi. To supply the chasm in the line of communication occasioned by the interruption of navigation at these shoals, a railroad was constructed and put in operation, two years ago, by a company formed under a charter from the legislature of Alabama. This was the first railroad, with the exception of one near New Orleans, in the western states. It extends from Tuscumbia, a port situated below the muscle shoals, to Courtland, and thence to Decatur, at a part of the river above the shoals,



the length of the road being forty three miles. A project has been discussed in Tennessee, and countenanced by a convention of delegates held at Nashville, for establishing a central railroad, leading through the state from the Virginia line to the Mississippi river; but no definite measures have been taken for carrying it into effect. In a similar spirit of local patriotism, and with an ardent desire for improving the condition of their state, the people of North Carolina have projected a line of railroads, to be connected with the roads from Edenton and Beaufort, from Wilmington, and from Halifax and Raleigh, at Fayetteville, and to proceed thence in a northwesterly direction, by the Yadkin river, to unite with the Charleston & Cincinnati road near the northwestern angle of the state. All these roads are projected by private com-

panies, incorporated by the state. By a late act of the legislature, the chief part of the surplus of United States revenue which falls to that state is appropriated to a fund for internal improvements, and the commissioners of the fund are instructed to subscribe to the stock of these companies to the amount of two-fifths of their respective capitals, provided the other three fifths shall be subscribed by responsible persons; no payment to be made on the part of the state until a quarter part of the stock subscribed by individuals shall have been paid in. In all the lower parts of the state the face of the country is remarkably adapted to the favorable location of the respective routes, and for the cheap grading of the roads. In the northwest the route has not been fully surveyed.

J. H. KENNEDY.

[To be continued.]

## THE RAILROAD MEN OF AMERICA.

HOMER RAMSDELL.

The labors of Homer Ramsdell in connection with the Erie railroad as a long-time director and as president, and with other forms of transportation of eastern New York, and the impress he has made upon the business and other interests of Newburgh—his chosen home—mark him as one of the active forces of the age, and grant him, in these days of after-life, the pleasant thought that he has been one of the world's useful

men, and that his labors have been of a character that will live after him. These many achievements need not have been unexpected by the generation in which he commenced his labors, for he received, by the gift of nature, those qualities of mind and heart calculated to win success of life, having descended from one of the best pioneer families of New England. He was born in Warren, Worcester county, Massachusetts, on

August 12, 1810, the son of Joseph and Ruth (Stockbridge) Ramsdell, who were both natives of Hanover, Massachusetts. The son was educated at Monson, Hampden county, of the same state, and at the close of his academic course, in 1827, went to New York, and in 1832 entered into business under the firm of Ramsdell & Brown. In 1835 he married Miss Frances E. L. Powell, daughter of the late Thomas Powell of Newburgh, New York, and in 1840 he removed to that place, where, four years later, he became a member of the firm of Thomas Powell & Co.,\* of which his father-in-law, a most sagacious, far-seeing and energetic man of business, was the head.

Thenceforth, partly through the prestige and the pushing, active qualities of Mr. Powell, and largely by reason of his own native ability, indomitable will and the advantage derived from eight years of mercantile experience in the metropolis, he was one of the busy men of that busy place, and one of the leaders in the mercantile and forwarding business of eastern New York. He was the active member of the firm, the earnest supporter of Mr. Powell in

all his plans for the improvement of Newburgh and the development of its financial and commercial interests, and in later years the originator of many measures that have been productive of great public good. Upon the death of Mr. Powell in 1856, Mr. Ramsdell continued the active enterprises in which they had both been interested, and extended them or widened their scope as opportunity offered, or as his great financial and executive genius could open a way to new results.

A brief recapitulation of his most prominent labors of a public or semi-public character may be given. In 1845 Newburgh, from a condition already prosperous, and promising even greater advances in the future, was threatened with immediate and perhaps permanent ruin by the opening of the New York & Erie railroad to Goshen, two years before. At this time the company had defaulted in the payment of interest to the state upon a three million dollar loan, and a sale under foreclosure appeared inevitable. The company appealed to the legislature for relief. A bill for that purpose, with conditions—one of which was the construction of a branch road to Newburgh—was accordingly presented; but those in opposition to the measure outnumbered its friends, and for a time the Erie and all the ambitions clustered about it and hopes dependent upon it seemed destined to defeat.

At this point, Newburgh, with the dual purpose of regaining its lost importance and of securing this needed outlet for southern New York, came gallantly to

\*The following extract from the 'History of Orange County, New York,' will give us an idea of the character and extent of the enterprises with which Mr. Ramsdell then became connected: "The successful experiments of Fulton in steam navigation gave a decided impetus to the carrying trade, which was an important part of Mr. Powell's business. About 1834 he built the *Highlander*, one of the most substantial and rapid steamers of the day. In 1846 the *Thomas Powell*, a steamer celebrated for remarkable speed, was built. The business of freighting was, however, soon carried on almost entirely by barges, and of these the firm built several.

the rescue, and enlisted her best men in the Erie's interest, and by her influence and the votes of her representatives in the legislature, saved the bill. Mr. Ramsdell, it is needless to say, was one of the prime movers and most earnest friends of this movement, and because of his commanding influence in this connection, his successful labors in securing large subscriptions to the capital stock, and his efficient aid in the re-organization of the company, he was, in 1845, elected a member of the New York & Erie board of directors; and with the exception of a brief interval, continued in that important relation until 1884, and he is now (1889) the only survivor of those with whom he first served during the early period of active building,—the others who have passed away being Benj. Loder, Cornelius Smith, president; Henry Sheldon, Shepard Knapp, Charles M. Leup, Daniel S. Miller, William B. Skidmore, Samuel Marsh, Theodore Dehon, Henry Suydam, Marshall O. Roberts, John J. Phelps, William E. Dodge, Thomas J. Townsend, Thomas W. Gale and Norman White. His practical judgment and deep foresight were freely given to the use of the great line through his connection therewith; and many specific points might be named where mistakes could have been avoided and better means employed, had his advice been followed. For instance, when, in 1847, the question of the change of the gauge of the Erie from six feet to four feet and eight and one-half inches was discussed, Mr. Ramsdell advocated the narrow gauge. The road was

then in operation only between Piermont and Otisville, a distance of sixty-one miles, and had a limited equipment of rolling stock, while construction of the most difficult and expensive part of the road—that between Otisville and Binghamton—was then in progress. The heavy penalty of failure was before them should they not reach favorable results by the adoption of the new gauge, when the broad gauge had the precedent of successful use in England; the board therefore decided in favor of retaining the latter, the vote being unanimous with the exception of Mr. Ramsdell and Henry Suydam, jr., who voted for the narrow. The change could then have been made in that portion already built for about seventy-five thousand dollars and a saving of five hundred thousand dollars made on the construction of the unfinished portion, but when ultimately made, thirty years later, the change cost about seven million dollars.

Under its reorganized form the company succeeded in carrying out its purposes and opening the road to Dunkirk and to Newburgh (by the Newburgh branch) on the fourteenth of May, 1851, but this work was only accomplished by herculean efforts and resort to all sorts of expedients, the enumeration of which would be tedious. The directors found it desirable to aid the company with both individual capital and credit in times of extreme necessity. They passed frequently over the line, encouraging the contractors, and bolstered the market value of the securities by purchasing largely of them at public sale,

etc., and Mr. Ramsdell, being regarded as especially interested in the Newburgh branch, had a double duty imposed upon him during the whole period.

In the summer of 1853 Mr. Ramsdell was elected president of the company and immediately devoted himself to the discharge of the great responsibilities thus laid upon him. A difficulty in the location and management of the road had been caused by an undue state pride, which had led the legislature of New York, in granting the charter of the road, to locate and limit its termini to points within the state—Piermont in the east, and Dunkirk in the west. It thus encountered at its origin, every winter, an embargo which threatened to defeat the object of its construction, and forced a direct connection with the city of New York, by a divergence at Suffern's, and thence through New Jersey. When Mr. Ramsdell assumed the administration of the corporation, this connection, then just made, was imperfect in all respects, and without terminal facilities. With a rare sagacity, he sought relief for his company by the purchase of the Long Dock property, substantially the property now owned by the New York, Lake Erie & Western Railroad company, viz.: the lands pierced by the Bergin tunnel, the river front at Pavonia, and the intermediate lands connecting them, a distance of more than two miles through Jersey City. At the sitting of the legislature of New Jersey in 1856, Mr. Ramsdell procured the passage of an act incorporating the Long Dock company, to which he conveyed the property, and

also obtained another act authorizing the Erie Railroad company to purchase and hold lands in New Jersey, and to finish and complete the Paterson & Hudson River railroad. "In this way," we are told by an authority competent to speak, "a legislative mistake was overcome, and this great National thoroughfare was extended into the business center of the great metropolis, and the foundation was laid for terminal facilities equal to its then extended and rapidly increasing necessities."

The presidency of the road was resigned by Mr. Ramsdell in July, 1857, which occasion was seized upon by the board of directors to formally express their opinion of the value of the above described operations. In a letter to him expressive of their personal esteem and regret at his departure, they said: "We desire particularly to tender the thanks of the board for that crowning service of your administration, your original conception and judicious purchase of the Long Dock property, which project, when fully completed and annexed to the Erie railroad, will constitute an unbroken channel of communication between the immense granaries of the productive west and the markets of this great metropolis and Europe, so that while one end of our road terminates at the lakes and rivers of the west, the other end shall discharge and receive its freights and passengers at the wharf or shipping at the port of New York, an advantage of location, productiveness and economy, which is without precedent in the history of railroads, and as long as New York continues the great



commercial center and distributing point for the commerce of this country, the Erie railroad must be the great channel of its western transportation."

Another idea originated by Mr. Ramsdell was the construction, some twenty-eight or thirty years ago, of the Hawley branch of the Erie, the connecting link between the roads of the Pennsylvania Coal company and the Erie road, by which means the coal beds of Pennsylvania found their way to market and gave a new portion of business to the great line. Mr. Ramsdell was also active and influential in promoting the construction of the Newburgh & New York (Short-Cut) railroad, between Vail's Gate on the Newburgh branch and Arden on the main line of the Erie—a valuable contributor to the business and convenience of Newburgh. The record of Mr. Ramsdell's railroad work cannot be completed without mention of the fact that he acted as receiver of the Erie road in 1876, during Mr. Jewett's absence in Europe, and that in all that troubled period he was a staunch friend of the road and of the public's best interests, regardless of whom might assail.

In 1868-69 the company found itself in urgent need of more cars, to supply which a company was formed, accompanied by a liberal mileage contract, guaranteeing a fixed and generous dividend, to the stock of which Mr. Ramsdell was invited to subscribe. This raised the question of the propriety of a director dealing with himself, and upon reflection he proposed to furnish his quota of the number of cars required, "In Trust,"

their cost to be reimbursed in forty equal quarterly payments, with interest, the cars to be used and maintained by the company but to be owned by him until paid for, when they would belong to the company. Accordingly he placed upon the road fifty merchandise cars at a cost of forty thousand dollars (war prices then prevailing). Ten years later an equally urgent need was felt for an increased supply of rolling stock, when the basis thus established was found convenient for the creation of a series of "Car Trusts," covering a period of five years, under which the want was supplied at an aggregate cost of \$10,485,100,\* and Mr. Ramsdell was chosen chairman of these trusts, the plan of which he had originated.

Mr. Ramsdell conferred a benefit upon the people of his home and the surrounding region by his sagacity and foresight at the time of the proposed construction of the Newburgh & Midland railroad. Ever since the introduction of railroads in New York state a connection with Lake Ontario at Oswego, and the Hudson river at Newburgh, had been strongly desired by the citizens of the latter place, but formidable obstacles long deferred the hope. In the construction of the New York & Midland railroad a solution of the difficulties seemed for the time to have been

\* The total of cars thus furnished may be given in detail, as follows: 10,024 box freight-cars, 2,550 gondola coal-cars, 4,050 20-ton coal-cars, 300 grain-cars, 450 butter- and cheese-cars, 500 flat-cars, 500 stock-cars, 1,000 drop gondola-cars, 200 refrigerator-cars, 20 passenger coaches, 30 passenger locomotives, 40 consolidation locomotives, all costing \$10,485,100.



reached, in the location of that road at Middletown, within twenty-seven miles of the Hudson. In October, 1869, a meeting was called at Newburgh for the purpose of reviving the long-cherished scheme, and it resulted in the organization of the Newburgh & Midland Railroad company, to build a line between Newburgh and Middletown. The work was too formidable to be undertaken by individual subscription and the town-bonding system was resorted to, the city's aid being asked to the extent of half a million of dollars. Subscriptions of capital stock were made and consent to bond the town was sought, every taxpayer upon the roll being visited. As the scheme developed it was found that the management did not intend to take advantage of the general trend of the elevations west of the Hudson (from northeast to southwest), by which access could be had to the river by natural and inexpensive lines of approach, but to carry the road over the highest ground, entailing heavy grades and a cost four times greater than the sum for which it was proposed to bond the city. The road, too, was to terminate a mile from the river and at an elevation of about two hundred and fifty feet above tide-water, so that when completed an approach to the river would still have to be provided. Under these circumstances Mr. Ramsdell, although one of the largest subscribers to the capital stock, withheld his consent to the bonding of the city, which frustrated that measure, and, believing that the cost of the work as proposed would be beyond the ability of the corporation to encoun-

ter, united with two or three other taxpayers to ascertain the legality of the measure. A suit was commenced before the county court, and upon full investigation it was found that signatures representing partnerships and estates not legally competent in the matter had been made use of, and that without these the amount of property represented was insufficient to authorize the measure of bonding, and it was so decided by the court. An appeal was taken to the supreme court and the decision was there confirmed, and thus an evil was averted which threatened the city with whose interests those of Mr. Ramsdell are indissolubly connected.

When the West Shore (N. Y., W. S. & B. railroad) company was organized, in 1881, and located its line along the west bank of the Hudson, it obtained from the city of Newburgh the privilege of building and operating its road "in, upon, through and across Front street and the other streets of the city." The people of this fair and goodly town were only protected from what would have been a grievous imposition by Mr. Ramsdell's ready recognition of a menace to the interests of the town and his prompt action in thwarting it. It was naturally proposed to locate the track along Front street, which was in itself not radically objected to, but when it was realized that the company proposed not simply to make an economical use of the street but to monopolize it, a very reasonable antagonism to the plan was aroused. Extensive structures line this thoroughfare, and large business interests are located there which the

building and operating of this railroad, as proposed, would irreparably injure if not totally destroy, and even the heaviest land damages that could be hoped for could not be expected to make good the damage to the city's business and general inconvenience that would from the nature of things ensue. About three-fourths of the property on the east or river side of this street was either owned or represented by Mr. Ramsdell, and here were concentrated his large business interests—warehouses, wharves and piers, ferry-slips, hotels and other valuable structures, embracing a large part of his estate—and in addition to his own he represented, by appointment, the interests of the Erie company. In opposition to the proposed location, remonstrances were of no effect and the only alternative was litigation. Consequently proceedings, such as are provided for by the general railroad act of the state, were resorted to and a suit commenced. Engineers were employed to establish another line, and notwithstanding what were considered almost insurmountable obstacles, made greater by the limit of fifteen days allowed for the work, it was performed, and substantially the present location was made, which the West Shore company adopted without further litigation. Thus the city was saved from a serious marring feature and its most important interests were spared.

To keep pace with the increased progress in transportation, in 1886 Mr. Ramsdell found it necessary to return to the use of steam in the forwarding business, in which he had been engaged

over forty years, and placed upon the route between Newburgh and New York two lines of fast steamers, constituting a morning and evening express line from that city, affording to the public express freight accommodations unsurpassed by any other water or railroad line in the country. Two of these boats were built expressly for the line and modeled for speed and carrying capacity. One of them, the steel propeller *Homer Ramsdell*, was built entirely in Newburgh, and affords a fine illustration of the capabilities of the builders and artisans of that place.

“ Mr. Ramsdell's undertakings have ever been characterized throughout by a spirit of enterprise and accommodation to the public, of which his maintenance and management of the excellent ferry between Newburgh and Fishkill\* and his spacious covered wharves and commodious warehouses are an example. every public enterprise his financial ability and talents have been the leading factors, while even those of his works of a more private character have been such as, necessitating the employment of labor on a large scale and the consequent distribution of capital, have tended to promote business interests generally and thus conduce to the welfare of the community. He is intimately identified with the various local institutions of Newburgh, and is a prompt contributor to the progressive and elevating movements of his day. He sees from afar results to be attained only by a long

\* Of which the staunch iron boats, also built in Newburgh, run uninterruptedly throughout the winter.

train of operations, and combining in an eminent degree the faculty of perceiving the practical relations of things, with a skillful use of the means at his command, he has been instrumental in bringing certain public questions to a successful issue and in converting what threatened disaster to the community into a means of renewed prosperity."\* As an evidence of his interest in the city of his home, it may be mentioned that in his early life he filled a number of local offices, although having no desire for public place and absolutely refusing, at various times, to allow his name to be connected in any way with places of important official trust. In politics he was originally a Whig, but upon the dissolution of that party, became a Democrat. He is a

close observer of state and National events, and takes a deep and patriotic interest therein. His religious affiliation is with the Episcopal church, and the precepts of his faith have had a modest but ever sturdy exemplification in his character and daily action.

Homer Ramsdell is one of those men of whom it can be said: He has grown old gracefully and with dignity. While closely approaching four-score—"full of years, full of riches, full of honors"—he is still hale, healthful, genial, in the possession of unusual mental faculties, and while not compelled to do so, he has in a measure retired from those intense activities which characterized his career, and entered upon that serene and satisfying rest which seems the appropriate reward of long labors zealously and honorably fulfilled.

\*Ruttenber's 'History of Orange County,' p. 352.

## THE BENCH AND BAR OF DENVER AND COLORADO.

TO WRITE a history of the "Bench and Bar" of a city that is little more than a quarter of a century old, to describe the career and discuss the events in the lives of men still actively engaged in their professional work, places one in a disadvantageous and still advantageous position. No one is so nearly perfect but that he contains some evil, and no one can be so deprived but that he has some good in him.

In a review of the living, one is limited to a detail of the better side of life. But if a man has done none but evil deeds, they ought not to be recorded to perpetuate his memory, and if he has done any good deeds, he should be remembered for them and not, while living, be reproached for his faults, or when dead have his memory blackened by a review of his errors. There is the one preëminent advantage in writing of the living, in that you get from men's own mouths what they themselves say, and hear them describe deeds which they have performed and events in which they have participated.

Kansas was organized as a territory May 30, 1854, and admitted as a state January 29, 1861. What is now Colorado was a part of the territory of Kansas, and upon the admission of Kansas as a state, the territory of Colorado was formed, February 26, 1861. The land on which the city of Denver now

lies is a part of the tract embraced in the Jeffersonian purchase. The first visitation to this territory of any civilized race was an expedition led by Vasquez Coronado in 1540-42. From this time we find little, if any, record of anything until Captain Pike visited here in 1806, after whom our leading peak is named. Public interest in this country was first aroused by a report of his explorations by General John C. Fremont, in 1843.

The first settlements that amounted to anything were made in 1858, and on November 22, 1858, the city of Denver was organized. By April, 1859, Denver contained one hundred and fifty houses, and, using the language of a paper issued in that month: "Many of the buildings are good, substantial houses, with one hotel one and one-half stories high. We have two good saloons and a large bakery nearly completed, with a regular butcher." From this stage of crudeness, by rapid strides, Denver has advanced to its present magnificent proportions.

The discovery of gold in 1858 brought people here in large crowds. The increase in the population was so rapid that organization for the protection of society by the better class was a necessity, in order to keep restrained, as far as possible, the desperado and border-ruffian element, which always seems to appear as a forerunner in the



settlement of any new country—a class outlawed in their own homes, drifting out to steal and plunder everything within their reach, without intending to become permanent settlers, hence having no interest in the community as a social body. This necessity was so great that even when the caravans ("prairie schooners," as they were called) crossed the plains, coming out from the Missouri river, a strict discipline was inaugurated, each body being under the surveillance and rule of a leader chosen, whose word was law and had to be obeyed.

In the fall of 1858 the desire for some government to protect the respectable and decent element against the desperado class was so great, that there was held a dual election: first, to choose a delegate to congress for the purpose of getting an admission as a territory; for this purpose H. J. Graham was chosen; the other election was to choose a representative to the Kansas legislature, in order to obtain admission and recognition as Arapahoe county, Kansas. A. J. Smith was elected representative. Graham failed in his mission at Washington. Smith was admitted at Topeka and the organization of Arapahoe county followed. Governor Denver appointed S. H. Waggener as probate judge and "Chief Justice" Hyatt as magistrate. He was called chief-justice because he would not tolerate any appeals from his decision. Edward Wyncoop was made sheriff. The double election was for the more certainly securing some permanent government. The first desire

was to be admitted as a territory, but in the event of this failing, as it did, the people desired to be recognized by the Kansas authorities, which was accomplished. Although Kansas had thus acknowledged the new county and sent out officials to take control, it was totally inadequate to answer the needs of the people. In order to effectively govern the bad element which constituted a large part of the population, it soon became apparent that some strong and efficient government must be put in power, and for this purpose there was organized "The People's Courts" in Denver, which were kept up for two years. The Kansas code was unavailing in restraining the outlaw and desperado class. It soon became apparent that it was necessary to revive the old Mosaic law of an eye for an eye and a tooth for a tooth, which was rigidly adhered to, and by this method, in due time, the community was ridden in a degree of the social outcasts. The teachings of Blackstone, Kent and other eminent text writers were respected and followed so long as their doctrines answered the purpose, but if, upon occasion, the body of the people desired to be ridden of any man, or of anything obnoxious to the community, the great principles of these writers were ignored, and the voice of the people became the supreme law of the land.

H. P. Bennet, afterwards a delegate to congress, A. Sagendorf and A. C. Hunt started the movement for the people's courts. They succeeded in interesting enough people to aid them



in their project until they had a crowd large enough to organize a public meeting. The outcome of this was an election, at which Major Downing and Nelson Sargent were elected judges of the people's court, who sat together. There happened to be in camp a copy of the 'Iowa Statutes;' these were followed. They were taken from the extensive law library of Judge Bennet, who, because of the size of his library, was regarded as the legal oracle of the country, he having by far the largest and most valuable collection, viz., fourteen volumes. One remarkable incident in this organization of the people's court was that the judges were empowered to levy and collect a tax to defray their expenses.

In the summer of 1859 there was held a constitutional convention for the purpose of framing a constitution for the state of Jefferson to be admitted into the Union. This was defeated by a popular vote in September. Later in the year another convention met to organize a territorial form of government. They organized a provisional government for the territory of Jefferson. Under this an election was held and R. W. Steele made governor; Lucien W. Bliss, secretary; C. R. Bissell, auditor; G. W. Cook, treasurer, and Samuel McLean, attorney-general, and B. D. Williams as territorial delegate to congress. But in order to be perfectly safe in having a proper government, another election was held on the same day to choose a full set of county officials under Kansas rule. So that at that time the people had a territorial government,

Kansas county government and the people's court.

A history of the bench and bar of Denver could not be satisfactorily written without giving some account of the mountain districts in the north, especially of Gilpin county, as that at one time, because of its prominence as a mining district, was spoken of as "the kingdom of Gilpin," and the balance of the territory referred to as "the county of Colorado." Many of the most prominent attorneys now practicing in Denver first opened an office at Central City, in Gilpin county. Notably among these are Senator Henry M. Teller and his brother Willard Teller, Hugh Butler, ex-Congressman James B. Belford, Judge E. T. Wells, L. C. Rockwell, ex-Attorney-General Alvin Marsh, G. B. Reed and Harper M. Oran; while this bar has acquired from Georgetown Edward O. Wolcott, just elected to the United States senate to succeed Senator Bowen, and R. S. Morrison, the author of several valuable legal works. Of all these a proper sketch will in due time appear.

In the opening up and settlement of a new country there is always less attention paid to the technicalities of the law than in old and established states; a pioneer element always believes in dispensing the law with shortness and dispatch. Precedents are usually ignored and a rugged sense of justice deals out the law in accordance with the honest intentions of sturdy citizens to rid themselves of crime and wrongdoers. Certainly in this line Colorado has a history that is unique, original

and at the same time interesting, in the "Miners' Courts," which were established in the mountain districts before we had a territorial organization. It is true that all the territory was under the jurisdiction of Kansas; but this seems to have been ignored entirely, for the miners established small districts of a few miles square and organized a crude but complete government in each. Every district had its constitution and by-laws, which were usually preserved in a copy-book and furnished for them all they needed of either constitutional or statutory law. Each district usually had a president, a secretary and recorder, a judge and a sheriff.

In some of these districts lawyers seem to have been held in exceeding ill repute, for in the constitutions we find three sections following each other in sequence: the first one providing for the organization of a vigilance committee, the second one prohibiting all lawyers from practicing in the district, and the third one being a strict statute of limitations, barring all claims contracted outside of the district. The object of this last section was to prevent eastern creditors from molesting the residents of the district by a suit in any form upon debts contracted in the east. A vigilance committee was an absolute necessity in those days, to rid the community of a reckless and criminal class that always infest a frontier settlement. From these clauses, it would seem they considered horse-thieves, lawyers and eastern creditors as equally obnoxious to the community. This law was not found in all the districts,

so that lawyers had a fair showing in many of them; but even in these an attorney often found that what he supposed to be good and substantial law amounted to nothing in a miners' court. This is aptly illustrated by an incident in the life of Senator Teller. Teller appeared for the defendant in a case and filed a demurrer to the plaintiff's complaint. The demurrer came on for hearing and Teller made, as he believed, a most able and exhaustive argument upon the subject for two hours. Upon taking his seat the judge curtly said: "Mr. Teller, I wish you to understand that no demurrers are allowed in this court; you will have to file an answer." Teller called his attention to the practice of other states, but he ignored these, being a law unto himself, restrained only by a copy-book constitution.

The system of trial varied in different districts, there being juries of from three to twelve; the favorite method of obtaining a jury seems to have been by the method we now term a "struck jury." In some districts the jury tried both law and equity cases, and their verdict and special findings constituted a final adjudication, from which no appeal could be taken; in others an appeal would be allowed to the president of the district, whose decision would be final, while in others still, an appeal would lie to the body of the people, who would come together on notice, hear the case argued and then vote; if the body were too large for the sheriff to distinguish between the ayes and noes, he would order all voting for the plaintiff to get on one

side of a line and those voting for the defendant on the other; the vote of the majority constituted a final judgment from which no appeal could be taken. These suits were usually in regard to titles for mining claims, and, upon the verdict, the rightful owner would be put in actual possession. If, after a verdict by the mass of the people, a defeated litigant attempted to further interfere with the rights of the owner, he was usually dealt with in a summary and expeditious manner by a vigilance committee. The decisions of these courts were respected. In other districts an appeal would lie from the miners' court to the "Court of Appeals," which was composed of the president of the district, sitting as presiding judge, with the judge of the miners' court and the recorder as associate justices.

Useless litigation was not encouraged, for the plaintiff had to invariably file a cost bond, and if either party wanted a jury he must pay the fees in advance. Contempt of court was not left to the discretion of the judge, but was limited in some districts to ten dollars and in others placed at fifty dollars. In some, a male of eighteen was entitled to vote as a citizen; in others, white males of sixteen were allowed the privilege; while in still others, property owners alone were given the franchise. Their system of granting titles to mining claims was far more expeditious than the present United States statutes and the tedious delays of the interior department at Washington. A claimant could work one day in ten until he had done ten

days' work, and then go with a creditable witness before the president of the district, who would give him a certificate of ownership to the claim, which, when countersigned by the secretary, constituted a fee simple title.

The criminal laws were certainly novel, and, to one unacquainted with the history of the country, seemingly cruel and harsh. In many districts the punishment for each and every crime was left to the absolute discretion of the jury trying the case. In some, larceny was punished, for the first offence, by thirty-nine lashes and banishment, and for a second offence by hanging. Perjury was a lighter matter, it being punished by only twenty-five lashes. Forgery was a still lighter offence, being punishable by a fine of five dollars and double the amount of damages sustained. Other districts punished grand larceny (any amount above ten dollars) by a fine double the amount stolen and from fifty to one hundred lashes on the bare back and banishment from the district; and, if this were not sufficient, any further punishment might be added as the jury might direct. Larceny cases were very few.

There were many amusing and even dramatic incidents in the course of the trials in the miners' courts, some of which will appear later on. An idea of one of these trials may be given by one of the first cases in which Senator Teller appeared, which was a slander case, the action being brought by a woman to recover civil damages against a man who had boasted upon the streets of having enjoyed her favors. The

man appeared in court and for his defence attempted to justify by proving the truth of his assertions. Teller, with H. P. A. Smith and William Kimmerley, represented the woman, and Doctor Rankin, with Remine and Thompson, appeared for the defendant. The trial was before Judge William T. Muir, who presided in his shirt sleeves, with navy revolvers strapped round his waist, holding court in a bar-room.

In the course of the trial, which took four days, the defendant attempted to get in evidence a letter written by some outside party, in which it was stated that the woman was disreputable. The court refused to allow the letter to be used. Yet, when Dr. Rankin was making his closing argument before the jury, he thought he would read the letter and get its contents to the ears of the jury despite the ruling of the court, but as soon as he had taken the letter from his pocket and opened it for the purpose of reading, the judge immediately pulled one of his navies upon Rankin, and after cocking it sharply said, "You can-

not read that letter; it is not in evidence." Thereupon Rankin immediately pulled his gun upon the court, and boldly said, "he thought he would." This was in the days when a pulling of a gun almost invariably meant shooting and death to someone, so the crowd in the court-room surged out into the street until the shooting should be over. Keeping out for a few minutes and hearing no firing, the crowd returned, finding the judge with his gun still upon Rankin, and the sheriff in one corner with his gun leveled at Rankin, and a deputy in another corner with his gun upon the counsel. In the language of the day, Rankin found that there were three with "a dead drop" on him, and knew he was beaten; so upon the peremptory order of the court to put the letter in his pocket, he obeyed, and the jury not believing in a man boasting upon the street of having accomplished such a purpose, gave a verdict against the defendant.

PETER WIKOFF.

[To be continued.]

#### HON. VINCENT D. MARKHAM.

Sir William Camden, author of 'Camden's Britannia,' said: "Markham, a village near Tufford, Nottinghamshire, gave name to a family very famous for antiquity and valour."

Perhaps the earliest member to distinguish himself was Sir John de Markham, one of the judges of the common pleas from the twenty-ninth of Richard II.

to the ninth of Henry IV. (A. D. 1390 to 1408).

His descendant, Robert Markham, was member of parliament for Nottinghamshire, time of Queen Elizabeth (1559 to 1603). Other members that may be mentioned were Major William Markham, born 1686, who built the first house at Halifax, Nova Scotia; his son, Most



Reverend William Markham, Prebendary of Durham, Dean of Rochester, Dean of Christ church, Bishop of Chester and Archbishop of York, all within the period from 1759 to 1807. He was also preceptor to the Prince of Wales. He died in 1807 and is buried in Westminster Abbey.

John Markham was admiral of the Royal navy and member of parliament for Portsmouth, 1796. Colonel David Markham was killed at St. Domingo, 1795. Robert V. Markham was Archdeacon of York and Rector of Bolton Percy, 1797. Osborn Markham was member of parliament, 1806. William Markham was private secretary to Warren Hastings and resided at Benares, India. Colonel William Thomas Markham of Cuffroth Hall, York, and Rev. George Markham, who was Dean of York in 1763.

#### THE SURNAME MARKHAM.

Markham consists of *mark* and *hame*, the old Scotch word for home. It was adopted as a surname centuries ago by a religious enthusiast of the family, who chose to name his lands after St. Mark, the Evangelist. St. Mark is the prime patron of Venice. "Having been supposed," says a classical writer, "to give almost visible protection in perils by fire and flood, the republic itself and its territory were known as his property; and the special emblem of the state was that shape among the cherubim which had been appropriated as the token suited to his gospel, namely, the *Lion with Eagle's Wings*; the winged lion being the stamp on the coinage of the great merchant city, Venice, which was banker to half the

world. A *marc* became the universal title of the piece of money, and though long disused in England, it has left traces of its value in the legal fee of six-and-eightpence. A few classically inclined English have revised the ancient name Marcus, but in general the word follows the National pronunciation," hence: "Mark-home" or "Markham."

It is a curious fact that the coat of arms borne by the Markham family for many generations consists, in part, of an azure shield, the chief charged with a red demi-lion, while the crest is the Lion of St. Mark, supporting with his paws a golden harp. Underneath is the family motto: "*Missis et audax*."

#### THE MARKHAMS AS COLONISTS.

William Markham, cousin of William Penn, came over with the Penn colony in 1681-2. He was lieutenant-governor under Penn; secretary of the province in 1684; deputy-governor of Delaware 1693; and again lieutenant-governor of Pennsylvania in 1695 to 1699. He was probably the forerunner of the family to this country. George Markham, the grandfather of Honorable V. D. Markham, located upon a plantation in Chesterfield county, Virginia. His son Vincent succeeded to part of the estate. He married Obedience Beasley, of another old Virginia family. He was an educated gentleman and took pleasure in preparing his sons for college, one of whom, Vincent D., born upon the old farm, and now about sixty years of age, entered William and Mary's college in his nineteenth year and graduated in 1848. He soon after began to study law and was admitted to the Virginia bar in 1854.



He practiced his profession until 1858, when he resolved to go *west*, not *south*—to go to Kansas, not either, then, a wholly free or slave territory. There was in this resolve something of the restlessness of the Norman. The self-same blood stirred his heart that impelled his family founders first to invade England as Normans, then to colonize America. A generation has passed since he left the scenes of his childhood—now the scarred battlefields of the Republic—and as one of the foremost members of the Colorado bar, one of the founders of the institutions of which that state proudly boasts, and possessed of an ample fortune, he justly attributes his success to that youthful impulse. Accordingly, he removed and located first at White Cloud, Kansas, and was a member of the legislature of that state in 1860. Two years afterwards he moved to Denver, crossing the plains the usual way—with ox-teams—but walking the entire distance, about six hundred miles, in preference to riding. He soon attracted the attention of the bar, and became popular with the people. He did not leave his political tendency behind him in Virginia—he is still a Democrat, but such a Democrat as is popular with his opponents. As a candidate for supreme judge in 1866 he was defeated by only 250 majority, when his state was decidedly Republican. He was elected attorney of Arapahoe county by 2,000 majority when the usual majority for the opposition was about three thousand. Two years later, 1868, he was elected prosecuting attorney for the then First judicial district of Colorado. Had he changed his politics as well as his residence when he left Vir-

ginia, Judge Markham would doubtless have been fatally in the way of some of the most conspicuous leaders of the Republican party to-day. But that was not his way. His political views have been broadened, but not radically changed. He is a type of the partisan who conscientiously lives up to his convictions regardless of political preferment.

The law firm of Markham, Patterson & Thomas was one of the strongest and most successful in Colorado. The Markham hotel was built by these gentlemen and thus named in honor of the senior member. Judge Markham is now associated with Mr. H. C. Dillon, whose professional name suggests the well-known author, and a relative, of a legal text-book.

Markham and Dillon maintain high rank at the bar and number on their list of clients many of the wealthiest gentlemen and corporations in the west.

Judge Markham's home in Denver seems to be the only objective point of his professional campaign. There is in its pictures, books and music, its trees and lawn and flowers, its retirement and its restfulness, as beautified and kept by the cultivated mind and kindly heart of Mrs. Markham, compensation sufficient for all the wear and weariness of the life of an eminent practicing lawyer. Children they have none, but their affections are set in part upon their household pets, Punch and Judy, two beautiful deer which may be seen at times wandering in the large and well-kept grounds.

The only interest the public may take in this is the fact that one was born in the wilds of Arizona six years ago, and was brought the long distance, as a

fawn, by a young lady, and presented to Judge Markham as the friend of her childhood years. Both Punch and Judy walk about within the house, when invited, with almost human intelligence, carefulness and cleanliness. Their eyes bespeak their trustful innocence in their darkly-beautiful depths. Their constant companion is the honest watchdog, Jack. Every hand that passes through the iron fence, even to caress his forest-wards, passes first over his watchful eye. Bearing in mind that the deer is naturally the wildest inhabitant of the plains, this complete domestication is a tribute to the intelligence of these timid, dumb animals, who know, in this instance, only the voice of kindness and the

caressing hand in their new-found home. As a lawyer Judge Markham's style is characterized by terseness, perspicuity and directness, the results of long legal experience and much learning. He is practical, painstaking and laborious, combining the elements that constitute the jurist, the counselor and the advocate so happily as to render his career singularly successful, having achieved an independent fortune without a shadow resting upon his name. Personally he is genial, unassuming and hospitable. A Virginian by nativity, he is now a Coloradoan as proud of his adopted state as he is fond of the historic commonwealth that gave him birth.

HENRY DUDLEY TEETOR.

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HON. MOSES HALLETT.

A recent publication of singular ability and faithfulness in the treatment of its subjects, entitled 'Political Portraits,' says: "Judge Hallett has stood for twenty years the guardian and administrator of justice among us, and the continuous and undissenting verdict on his character has been expressed throughout in the one word 'stainless.'"

Moses Hallett was born in Galena, Illinois, July 10, 1834. As a youth of studious inclinations, he was sent by his father to Rock River seminary. From there he went to Beloit college, Wisconsin. At twenty years of age he began the study of law in the office of E. S. Williams of Chicago, and after a thorough law course was admitted to the Chicago bar, where he immediately commenced practicing. In

the spring of 1860 he emigrated to Colorado with two hundred dollars as capital to begin his career in this then new world. But the life of a miner did not allure him long from his chosen profession. Rough experience soon taught him the better way, and yet this practical contact with mining interests availed him advantageously both in his profession and upon the bench. To this may be somewhat attributed those distinguishing qualifications that induced the legislature of Colorado to pass the following joint resolution, which will also convey a just impression as to the exalted estimation in which Judge Hallett was held by that body as representatives of the people of his adopted state:

A joint memorial asking the President

of the United States to appoint a citizen of this territory as chief-justice :

To His Excellency, the President of the United States :

The people of the territory of Colorado, through their representatives in the legislative assembly, respectfully represent unto the President, that many of the questions growing out of mining operations and concerning mining titles in this territory are novel and peculiar, while other questions concerning the irrigation of lands and growing out of the peculiar situation of the people, remote from all other communities, are almost unknown to the laws of the eastern states ; and persons residing in the territory have acquired a knowledge of these questions, necessary to a correct understanding of them, which is not possessed by residents of the eastern states, and for this reason, among others, the people of this territory are exceedingly anxious that citizens of this territory, who are identified with the people and will attend to their public duties, should be appointed judges of the territory ; therefore, the council and house of representatives of Colorado territory do most earnestly and respectfully pray that your excellency will appoint Moses Hallett, a citizen of this territory, in whom we have confidence, to be chief-justice of this territory.

Approved February 8, A. D. 1866.

In accordance with this solemnly expressed wish President Johnson appointed Mr. Hallett chief-justice of the territory of Colorado. He held this office until

Colorado was admitted into the Union. He was then appointed by President Grant to the position which he now holds.

It should be stated also that Judge Hallett's first appearance in public life was as a member of the council of the territorial legislature from 1863 to 1865.

A gentleman long eminent in the legal profession recently said to the writer : "Judge Hallett occupies an enviable position in the judicial history of the state of Colorado. For twenty years, first as chief-justice of the territory and then as United States District judge, he has worn the ermine and administered the law with a dignity and ability that has commanded and secured the confidence and respect of both the profession and the general public. The mining laws of congress and the state have been a special study with him, and in this department he has, perhaps, rendered his most valuable judicial service. His decisions in this, as in every branch of the law, are accepted by the profession as high authority.

"In mental habit he is calm and deliberate. He investigates closely and with rare patience. He weighs the facts of a case and assigns them their value with a discrimination seldom at fault. His statement is lucid, his analysis searching, and his logic clear and forcible."

Promotion to a still higher and wider sphere of usefulness certainly awaits one whose name has become an eponym for judicial probity.

HENRY DUDLEY TEETOR.

## GEORGE L. MILLER.

THE life of Dr. George L. Miller is typical of the histories of many young men who have migrated to the west, and by that movement laid at once the foundations of fame and fortune. Birth in a law-abiding, Christian community, education among those who understand the value of practical science, a new home in the prime of life and vigor, growth among the pioneers of a new state, and finally wealth, influence, eminence; such are the prominent incidents in the careers of many men who have done their sturdy part in building up communities, founding states and spreading civilization. All these qualifications and characteristics are conspicuous in the life of the gentleman whose name appears at the head of this article.

His ancestors were of New England stock—those on the father's side being from Vermont and his mother being a native of the historic town of Salem, Massachusetts. His father, Lorin Miller, however, was born in Oneida county, in the state of New York. The latter was a man of strong constitution, extraordinary physical powers and the sound understanding which is only found in robust bodies. A surveyor by profession, he came west in middle life, and, after a long life crowded with adventures and marked by vicissitudes, finally settled in Omaha, where he acquired, and for years retained, [the

esteem and confidence of his fellow-citizens, and where, ministered to by filial love, he died in July, 1888, at an advanced age.

The son, George L. Miller, as may be supposed, inherited the splendid physical advantages of the father. He was born at Boonville, Oneida county, New York, on the eighteenth day of August, 1830. At that period the territory on the western border of the Adirondacks was sparsely settled and presented but few educational facilities. Here, however, he remained for the first sixteen years of his life, attending for a few months in the year the district schools and learning to read, write and cipher—all that the limited curriculum of those days permitted him to be taught. Graduating from these humble institutions, he commenced, in 1846, the active work of his life in a woolen mill in Utica, whither he had been sent to "learn a trade." But his was not a spirit which would long submit to the dull routine of manual labor in a manufactory of that kind. His eighteenth year found him determined to become a physician. It was a bold undertaking for one who had studied only the rudiments, and who had never seen anything more than the outside of a high school, academy or college, but his spirit and determination carried him through what might have seemed a hopeless task. In 1848 he removed to Syra-



cuse and began the study of medicine. Dependent, as he was, entirely upon his own resources for support, and as these resources consisted only of strong hands and an unconquerable will, he was obliged to work his way literally by the labor of his hands and in services which might almost be called menial. But, sustained by his stout physical constitution and his indomitable determination, he persevered until, in 1852, he was enabled to graduate from the College of Physicians and Surgeons in New York city.

He commenced the practice of his chosen profession in the city of Syracuse, where, at the age of twenty-two, he was city physician, and had charge of a county hospital. But no man of Dr. Miller's energy, zeal and ambition could long be satisfied with the life of a young practitioner in a small eastern city. The west, with its infinite opportunities and boundless possibilities, exercised over him a fascination too powerful to be resisted, and in 1854 he undertook the long, tedious, and at that time even perilous, journey to the frontier of civilization. In October of the last-named year, he first set foot in the little straggling settlement which boasted of being, on paper, a city of more than three hundred blocks, and had assumed the name of a tribe, once one of the most powerful and warlike in the entire northwest. The tepees of the Omahas were still to be seen on the bluffs about the infant city, when he brought his family to it, rented a little cotton-wood shanty near what is now the corner of Saunders and Cuming streets, and again entered upon the prac-

tice of his profession—the first regular physician upon Nebraska soil.

At a banquet given to General George Crook, the celebrated Indian fighter, upon his promotion to the rank of major-general, Dr. Miller humorously referred in his speech to this period in his career, and declared that he was entitled to the distinction of being the pioneer Indian slayer in Nebraska, inasmuch as his first and almost his only patient in the state was an Omaha papoose, which he succeeded in sending to the happy hunting-grounds within a few hours after he had been called in to attend it. But this jocose diminution of his medical skill would have been unjust if seriously meant. Dr. Miller's career as a physician was a short one, though he brought to it thorough learning, experience gained in the best schools, a well-balanced mind, cool judgment and the zeal and energy which he has brought to every occupation in which he has been engaged. But the allurements of political life, and the numberless avocations which beset every active and promising young man in a new country, speedily drew him away from the profession of his choice, and for many years the only reminder of his practice here has been the title by which he is familiarly known all over the country, and occasional editorial articles on medical and kindred subjects, which disclose his unchanging love for the studies of his youth, and his entire familiarity with the literature of healing science.

At the first session of the legislative assembly of the territory he was chosen



chief clerk of the council. This session commenced at Omaha on the sixteenth day of January, 1855, and from that time to the present Dr. Miller's connection with the Democratic politics of his adopted state has been close and continuous. At the second session, held in Omaha on the sixteenth of December, 1855, he took his seat as a member of the house of representatives. At the third he was elected to the higher branch, the council, of which he was chosen president and served in that capacity for two years. This bare outline of the official services of a boy of twenty-two or three years can give to the inhabitant of Omaha in these tamer days but a meagre notion of the difficulties and even the perils of the position. A state was to be built up by inexperienced youngsters, hardly any one of whom had ever sat in a legislative body before; all the working details of government, which in older communities have been so long in use as to seem self-ordained, were to be provided; an entire body of laws was to be enacted; a horde of speculators, schemers, bank robbers and adventurers of all sorts was to be opposed and made harmless; and, more than all, the city of Omaha was to be protected against the devices of property owners in other localities who knew that the continuance of the territorial capital in that city meant the prominence of Omaha and the decay of their own towns.

In the management of the difficult and varied questions arising out of these multifarious duties, Dr. Miller's skill, coolness and nerve were prominent and

conspicuous. The legislators of the frontier were sometimes impulsive and playful, and occasionally, when questions of vital importance, such as capital removal or the establishment of a wild-cat bank, were under discussion, pistols, knives, table-legs and chairs made it difficult to maintain a proper senatorial dignity and calm. But it is the concurrent testimony of all who have survived those turbulent days, that the president of the council never forgot at such times the obligations of his position or failed to preserve an unruffled demeanor under the most trying circumstances. That Omaha is a city to-day is due to the pluck, determination and skill evinced by a few such men as the doctor at times when cowards would have shrunk from the ordeal.

Shortly after this time, during a temporary residence of a few months in the city of St. Joseph, Missouri, he turned his attention to newspaper work, and wrote several articles for the *Gazette* of that place, which attracted so much attention that it is supposed he then, for the first time, became aware that the appropriate field for his talents was that of journalism. The war, however, engulfed him, and he was engaged in trade at Fort Kearney, in Nebraska, then a frontier post in the midst of Indians and buffaloes, until the fall of 1864, when he again entered politics as a candidate for congress on the Democratic ticket. As such he made a vigorous, aggressive and gallant fight; but the result was the election as delegate of the late Senator P. W. Hitchcock.

These defeats and changes were gradually but surely forcing him into the path which time has shown he was best fitted to follow. In October, 1865, in connection with Mr. D. W. Carpenter, a practical printer from Council Bluffs, Iowa, he founded and established the *Omaha Herald*, a Democratic daily newspaper, which speedily achieved success and gradually celebrity as one of the leaders and guides of political thought. For twenty-two busy years Dr. Miller wrote its leading editorials and dictated its policy. It is not too much to say of him that for most of this time Dr. Miller's advice and control were eagerly sought for in any matter which affected the welfare of the Democratic party throughout the entire northwest.

The stand taken by him upon the great financial questions of his time deserves most earnest attention, and stamps him as worthy of a place among the soundest and best thinkers of the period upon these subjects.

It also shows that he was gifted beyond ordinary writers and politicians with that prescience which enables the gifted one to see beyond the mere present, and measure at their true value illusory and misleading theories; which may prevail for a time and lead astray multitudes of otherwise strong and well-meaning men. Prior to the Presidential year of 1876, the "greenback" or "fiat money" craze prevailed throughout the country, and especially in the western states, where it permeated all classes composing both of the great political parties. The bonds issued by the government for the prosecution of the war,

commonly called five-twenties, were already redeemable by their terms, and the date of maturity was not far distant when it would be necessary to either pay or refund them. The point was raised that these bonds, being payable in "dollars," without mention of "coin" or "gold," were payable in greenbacks, and the opinion was seriously upheld that instead of retiring these notes, which had been the constant effort during the whole of General Grant's administrations, a further issue should be made sufficient to pay off these bonds, amounting to nearly a billion of dollars. It was argued that this currency, going into circulation, would make money plentiful, restore business activity, and general prosperity would again gladden the land. No more pestilent theory could be conceived of, and it was now pressed at a most opportune time to do its work.

The baleful effects of the panic of 1873 were still severely felt in all branches of business, and the doctrine appealed with great force to the large army of debtors who believed they would be relieved of a great portion of their burdens—as undoubtedly they would have been if such legalized robbery had been established. It therefore required no slight amount of moral courage to combat this theory, even if the conviction of right was surely founded.

There was, however, no hesitation on the part of Doctor Miller. He at once took his stand in uncompromising hostility to the scheme. This stand now was the more important for the reason that opinions were focusing to decide

the action of the National Democratic convention, to be held the following year, to nominate Presidential candidates, and it was generally thought the party would endorse the "rag money" idea, and the campaign in Ohio had already been commenced on this theory. The *Herald* teems, during this period, with editorials, terse, strong, and vigorous, which carried conviction to every reader. A few selections will show, better than other words can, how earnest and decided these utterances were for honesty in public policy:

August 11, 1875: "We did say and now repeat that if the election of Governor Allen and the Democratic ticket in the present contest is to result in an alliance with the distressed states of the south to fasten the financial doctrine of inflation upon the Democratic platform next year, we hope and pray William Allen and the Democratic ticket may be defeated by not less than 100,000 majority."

"The article of which the above is the substance, in which we frankly answered a fair question put to us by the *Bucyrus Forum*, has created no little stir in certain soft money circles. The position was taken not without due consideration. We have more regard for a fundamental article of the Democratic faith than we have for the political advancement of any man, or set of men."

"We say to the *Forum* that the best friends of the Ohio Democracy are the men who have the courage to tell them that their course on the currency question is ruinous in its tendency to the

party in the Nation and to themselves—first, because that course is wrong in principle; secondly, because it is undemocratic, and lastly and *leastly*, because, if successfully carried into control of the Democratic National convention next year, it will defeat the Democratic party through the loss of every northern state, except Missouri, and by at least a million on the popular vote."

August 12, 1875: "It is rag money, irredeemable in coin, that Ohio delights in, it is true, and not the honest hard money, the world's measurer of values, by which the farmer has to buy what he consumes."

"But stop throwing your soft money puff-balls at Nebraska. We invite the *Forum's* attention to the latest speech of its own Pendleton, who at last surrenders the monstrous heresies with which he has poisoned and polluted Ohio and the minds of such otherwise clear-headed men as Clymer of the *Forum*."

He had also to meet attacks from his Republican opponents. The *Omaha Republican* went at him in this style:

"Hard Money, Free Trade, Home Rule, is the battle-cry of the *Omaha Herald*, price ten dollars, invariably in advance. Hard money makes hard times. Free trade means inadequate pay to American mechanics. Home rule means nullification and disobedience of state laws—and thus the Democracy continues to be consistent in inconsistency."

The doctor responds: "'Hard money makes hard times,' says this pon-

derous financial economist. Who but speculating, political and other gamblers think so? Read Grant's veto message and hush your drivels."

The doctor's vigorous efforts met with an immediate response from his own party at home, which was as surprising to the country at large as it was flattering to him. The Democracy met in state convention September 16, for the purpose of nominating judges of the supreme court and regents of the State university, to be voted for at a pending general election. At this convention the following resolution was unanimously adopted:

"*Resolved*, That we are in favor of a sound currency, coin or its equivalent, as essential to stability in business and a restoration of prosperity; steps towards specie payments and no steps backwards."

This resolution appeared to the country at large as a clap of thunder from a clear sky. The Democratic party, at least, was expected to take up the "soft money" cause, and many of its trusted leaders were irrevocably committed to the heresy, and some of them, whose ambitious hopes were fixed with good reason upon the highest goal of political achievement in this Republic, were never able to remove the stigma from their otherwise stainless escutcheons. In the west especially, the sentiment appeared to have a resistless progress, and yet here was an extreme western state planting itself resolutely upon grounds only taken by the most extreme hard money thinkers. The doctor's gratification was shown in an editorial

following the adjournment of the convention, and it cannot be doubted that his own vigorous work brought about the result; if, indeed, his own pen did not frame the resolution:

September 18: "The resolutions adopted by the State convention were, in our judgment, worthy of the men who constitute the Democratic party in Nebraska."

"The convention was a unit, firm, solid and compact, for hard money."

"These resolutions are as sound as they were necessary. They will go to the whole country by telegraph this morning as the voice of a state which, from its position in the heart of the west, will, we trust, do much good in helping to check and change the prevailing opinion in the old states that the west is for soft money and all the infamies and wrongs which these two words imply."

That this position of the Nebraska Democracy had a stimulating and strengthening effect upon all ranks of the party throughout the country is certain, and they may be said to have done more than any one incident of the time to settle the views of a majority of the party in opposition to the fiat money idea, and induced the reactionary programme which prevailed in the National convention of the party, held the following year, at which Samuel J. Tilden was nominated for the Presidency. In the platform adopted was a plank declaring for a reform "to establish a sound currency," and protesting against the failure for eleven years "to make good the promise of the legal



tender notes which are a changing standard of value in the hands of the people, and the non-payment of which is a disregard of the plighted faith of the Nation."

The sentiment was exactly the counterpart of the Nebraska resolution—"steps towards specie payments and no steps backwards."

Upon the silver question, Doctor Miller's views have been equally as sound and decided—differing again from the large body of his contemporary writers and politicians in the west—but only to have time demonstrate for him that he was again right. As early as July 16, 1876, three years before specie payments became a fact, and when the question seemed an unimportant one, the following editorial appeared in the *Herald*:

"METALLIC CURRENCY.

"Gold and silver, in the form of coins, are the world's money. This means that, possessing certain qualities of durability and intrinsic value, which later represents the cost in labor of digging these metals out of the ground, they are used in these coined forms as so many tools with which men exchange the various commodities which their differing wants and necessities require. All trade is simply this and nothing more. We now find that silver does not represent the intrinsic value that it has done for so many years in this country, because it does not cost so much of labor and wealth to dig out of the ground, and gold represents more of this intrinsic value because it costs more than it formerly did to dig it out

of the ground. The silver depreciation helps to appreciate gold, no doubt, but whatever the incidental causes may be of the cheapness of the one and the dearness of the other, the bottom cause, in our opinion, is that which is here given. Silver is cheap, in other words, because it is plenty, and gold is dear because it is scarce. After all the talk about it, it is believed that this is the true solution of the disturbance in the present value of our gold and silver money. The theories that are hinted of conspiracy in either Europe or America among men like Rothschild and Belmont, to create fictitious depression of silver and appreciation of gold, or that the demonetization of silver in Germany or elsewhere could cause this result for any length of time, appear to us to be both wild and groundless. The great unwritten laws of trade and values which affect gold and silver as they do wheat, cannot be changed by conspirators against the actual wealth of the world which gold and silver represent. We must go down to the bottom of the question, as we have hinted at it here, to find the real solution of the gold and silver problem.

"The double standard ought to be maintained in this country and the way to do it is as simple as it is just, viz., to add more grains of silver to our American dollar, to restore the lost equilibrium of value to the silver coin. The idea of her paying debts in depreciated silver is as bad as it is to pay them in depreciated promises to pay honest money, and those who advocate this idea are wrong. Suppose silver

should go down to thirty per cent. discount instead of fifteen per cent., would it be right to pay the National creditors in silver coin at par? This would be just as outrageous as wise and honest financiers held it to be eight years ago to pay Federal bonds in greenbacks. As Mr. Garfield said in the house the other day, this constant attempt on the part of people to cheat somebody in our money payments is the leading trait of the class they represent. Having, as we believe, fixed the principal of payment of our National obligations in coin, we must pay them in good coin, in coin that represents the actual value of a silver dollar, and if our silver coin is not of that value, it should be made 'good' by adding the necessary number of grains of silver to that coin to make it 'good.'

On this question he goes much further than some of his financial friends are willing to follow him, for he is unwilling to admit it to be possible that the two metals can under any circumstances circulate together upon any fixed ratio of value to each other. He believes in a single standard of gold. This question has not yet met with its solution, and whomever say but what he is also right in this? The true friends of silver as money are discouraged and overwhelmed at the continued success of the fiat silver doctrine in our National councils, leading irresistibly and surely to a single standard of silver, unless a reaction is again forced which will banish silver as money. The latter will certainly be much less of a disaster than the former,

and bimetalists generally will welcome it in preference to the other result.\*

But Dr. Miller's labors during these industrious and crowded years were by no means confined to his editorial duties. Various questions arose upon matters affecting the well-being, if not the very existence, of the city of his choice, and in the solution of these, he was always active, earnest, pushing and prominent. We have already referred to his assistance, in his earlier political life, in preventing the premature removal of the capital. After the war, when that question had ceased to be important, others from time to time engrossed the attention of the citizens of Omaha, and menaced the future of that place. One of the most momentous of these concerned the location of the Union Pacific railway bridge across the Missouri river. The proclamation of President Lincoln had fixed the initial point of the road at Omaha, and at that place work on the railroad had been begun; but the road ran south for several miles, and some distance down the river there was what seemed to be a more eligible crossing-place. Enemies of Omaha sprang up on every side and urged the change. It seemed as though the prospects of the city were ruined. Dr. Miller, however, found in this contest a happy field for the exercise of his strenuous pugnacity. Serving on citizens committees, writing editorials by the ream, despatching

\*The foregoing sketch of Dr. Miller's financial views was contributed by Henry W. Yates, esq., president of the Nebraska National bank.

private letters, making constant visits to the east, he never allowed himself to rest until the threatened danger was past, and peace had again settled down over the city. Of that great and much-maligned corporation, the Union Pacific railway, the doctor has always been a firm and consistent friend. Recognizing the fact that the interests of Omaha and that transcontinental highway are in many respects indetical, he has always endeavored to allay prejudices, disarm opposition, discourage ill-will, and to convince the people not only of Omaha, but of the state at large, that their interests and that of the railway are identical, and that a blow cannot fall upon one without injuring the other. Thus when the supreme court of the United States declared that the eastern terminus of the road was at Council Bluffs in Iowa, instead of Omaha, which for years had been practically its starting-point, he was enabled in spite of that decision to secure the retention on the Nebraska side of the business headquarters, the shops and all the important adjuncts of a terminus. The original memorandum of a contract with the directors of the corporation, by which all these advantages were secured to Omaha, was prepared and reduced to writing by him.

It is no secret that Dr. Miller was in 1876 the choice of Mr. Tilden for a seat in the cabinet, and had the latter been seated the position of postmaster-general would undoubtedly have been tendered to him. The course of the Omaha *Herald* in reference to the en-

grossing questions of the day, its wise conservatism and its advanced views had commended Mr. Miller to the consideration of that wise and shrewd statesman, and the good opinion which he had for the *Herald* was certainly not diminished by contact and personal acquaintance with its editor.

For many years Dr. Miller was a member of the Democratic National committee and exercised great influence over its councils until the year 1880, when, against the almost unanimous wish of every Democrat in Nebraska, he concluded to resign that important and influential post. These facts, the prominence of his paper, the well-known regard and respect in which he was held by Mr. Tilden and the influence he had for so many years wielded in the councils of his party, marked him out as a very strong candidate for a cabinet position under Mr. Cleveland. Again he was supported for the position of postmaster-general by a very large proportion of the Democratic leadership of the country; Mr. Tilden giving him his personal nomination for the place and the recommendation being endorsed by two-thirds of the more eminent Democratic leadership of the country, including such eminent statesmen as Horatio Seymour, Samuel J. Randall, A. P. Gorman, W. H. Barnum, Lyman Trumbull and many others. Circumstances, however, induced the President to look in another direction for the management of the post-office, though the doctor continued to be a valued friend and adviser of Mr. Cleve-

land, to whom he constantly looked for advice in the matter of appointments in the state of Nebraska.

About this time, however, the engrossing cares and unremitting labors of nearly a quarter of a century began to show themselves in somewhat impaired health. So in 1886, after giving Mr. Cleveland the benefit of his suggestions in regard to Nebraska politics for two years, he retired from the arena. In the next year he gave up also all editorial connection with the *Herald* and devoted himself to the restoration of his accustomed strength and vigor. This being accomplished, and finding it impossible to remain idle, he became in 1888 the head of the vast business of the New York Life Insurance company in the district of which Omaha is the headquarters, and in the management of the important interests of that concern he is now finding scope for his business energies.

Dr. Miller's titles to distinction in the state of his adoption consist mainly in his devotion to the material interests of Omaha and Nebraska; in his manly and aggressive fight for sound and honest money at a time when the greenback craze captivated with its specious doctrines so many people; in his maintenance through good report and evil report of what he considers sound and statesmanlike doctrines of government, and in a brave, manly, outspoken support and vindication at all times of the cause he believes to be right.

As an editor he became remarkable for fresh, crisp, short paragraphs, which were largely copied throughout the

country and made him and his paper known far beyond the limits of its regular circulation. He was sometimes bitter in denunciation of any act which he considered wrong or mean; but if he was ever betrayed into injustice no man could be more ready to make reparation.

The fortune to which his abilities and industry as a journalist entitled him was largely increased by judicious purchases of real estate in the city of Omaha and vicinity at a time when such investments could be readily made. Among these was a farm of three hundred and twenty acres, some five or six miles outside of the city, upon which twenty years ago he resolved to try an experiment which he had much at heart. At that time it was supposed that the treeless plains of Nebraska could never be made to produce trees or even shrubs except in sheltered spots. The hot winds of summer, the absence of snow in winter, the lack of rain at all times, it was believed, would be an effectual bar to anything like forestry culture. But Dr. Miller believed that the only requisite to success consisted in the actual planting and cultivation of such trees as experience had shown could resist great extremes of heat and cold. He commenced experimenting upon his farm, and for years, under all sorts of adverse circumstances, secretly derided by some and openly sneered at by others, he continued until success was assured. At one time almost the entire half section was visited by a prairie fire which consumed everything in its path. Perseverance overcame, however, in the end all ob-



stables, and now the beautiful rolling prairie which he selected many years ago is covered with one of the finest artificial growths of timber ever beheld. Throughout all his efforts, experiments and disappointments, he was constantly cheered and encouraged by the advice and sympathy of Honorable Horatio Seymour, who took profound interest in the attempt, and in honor of his mentor and friend, Dr. Miller has named the place, now a suburb of Omaha, Seymour

Park, the station on one of the railroads which reaches it being known as Deerfield. Here the doctor has erected, in a conspicuous and charming spot, a spacious edifice of stone, where he purposes to pass the evening of his days, surrounded by the growing evidences of his forethought and taste and among the neighbors and friends who were the associates of his busy years.

JAS. W. SAVAGE.

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THE WOLCOTT FAMILY: HON. HENRY ROGER AND UNITED STATES SENATOR EDWARD OLIVER AS DESCENDANTS.

FEW families, if any, transcend that of Wolcott in antiquity and respectability, both in Old and New England. As far back as can be definitely traced, Tolland, Somersetshire, England, was their ancestral seat. In the parish of Lidiard, St. Laurence, near by, occur these words:

"Henry, ye sonne of John Wolcott, was baptized the VI of December, 1578.

"John, son of Henry Wollcott, was baptized Oct. 1st, 1607.

"Henry Wolcott and Elizabeth Saunders were married 19 January, 1606."

The old "Family chronologic, 1691," has this entry respecting the marriage of Henry and Elizabeth Wolcott:

"This happie pair were married about ye year 1606. He came to New England about the year 1628, and in the year 1630 brought over his family, to avoid the persecutions of those times about the dissenters."

It was therefore during the reign of

Charles I. that HENRY WOLCOTT left England—"a resolute Puritan, a stout-hearted and God-fearing man." He was the progenitor of the Wolcott family of America and the direct ancestor of Honorable Henry Roger and United States Senator Edward Oliver Wolcott of Colorado.

In a 'Memorial of the Wolcott Family,' written and compiled by the late Rev. Samuel Wolcott, father of Henry Roger and Edward Oliver, occur these words respecting this resolute Puritan, Henry Wolcott:

"He was not an obscure adventurer, but held a fair position among the gentry of England, possessing an estate which yielded him a fair income, and his property was freely devoted to the service of the expedition which he accompanied. . . Taking three sons, Henry, George and Christopher, they went forth to grapple with the hardships of a new settlement in

an unexplored country, retiring forever from their pleasant seat, from the place of their fathers' sepulchres and the birth-place of their children, and bravely encountering the unknown future which awaited them and theirs on the deep and in the desert. They have their reward, and they desired none other on earth—a name and a place among those excellent companies of whom the old world was not worthy, who came out from the mother country to this, at that exalted period, on their high mission of civilization and Christianity."

In this connection we give an extract from the address of Honorable E. O. Wolcott, delivered before the New England society in New York, December 22, 1887, in response to the toast—"The Puritan in the West."

"New England thrift, though a hardy plant, becomes considerably modified when transplanted to the loam of the prairies; the penny becomes the dime before it reaches the other ocean; Ruth would find rich gleanings among our western sheaves, and the palm of forehandedness opens sometimes too freely under the wasteful example which nature sets all over our broad plains; but because the New England ancestor was acquisitive, his western descendant secures first of all his own home. The austere and serious views of life which our forefathers cherished have given way to a kindlier charity, and we put more hope and more interrogation points into our theology than our fathers did; but the old Puritan teachings, softened by the years and by brighter and freer skies, still keep our homes Christian and our home life pure. And more, far more than all

else, the blood which flows in our veins, the blood of the sturdy New Englanders who fought and conquered for an idea, quickened and kindled by the Civil war, has imbued and impregnated western men with a patriotism that overrides and transcends all other emotions. Pioneers in a new land, laying deep the foundations of the young commonwealths, they turn the furrows in a virgin soil, and from the seed which they plant there grows, renewed and strengthened with each succeeding year, an undying devotion to republican institutions, which shall nourish their children and their children's children forever."

#### THE WOLCOTT ARMS.

As an illustration of the antiquity and eminent respectability of the family we insert a description of the Wolcott coat of arms.

SHIELD: Argent a Cheveron between three Chess Rooks ermined.

CREST: A Bull's Head crased argent, armed or, ducally gorged, lined and ringed, of the last.

MOTTO: *Nullius addictus jure in verba magistri.*

This motto is a line from Horace and literally means: *Accustomed to swear in the words of no master, in a word, to take nothing on trust.*

There is a curious bit of information concerning the chess-rooks found in the 'Herald's Visitation' and preserved in an old family pedigree. It is recorded of an old knight of the Wolcott family that: "Playing at ye chess with Henry ye Fifte, King of Englande, he gave him ye checke matte with ye rouke, whereupon ye kinge changed his coate of armes which was ye

crosse with flower de lures, and gave him a rouke for a remembrance."

are two inscriptions of historic importance. One is as follows:

THE WOLCOTTS OF NEW ENGLAND.

Henry Wolcott, ancestor of the family in this country, was the second son of John Wolcott of Tolland, Somersetshire, England, as above related. He came, with 139 others, in the *Mary and John*, leaving Plymouth, England, March 20, 1630, and arriving at Nantasket "on the Lord's day, May 30, 1630." They settled at Windsor, Connecticut, where they established the first independent church in that state. Trumbull's 'History of Connecticut' says: "Mr. Wolcott had a fine estate, and was a man of superior abilities." This recalls an interesting bit of history of those early days, as recorded in the records of Windsor. Martha Pitkin, an accomplished lady who had spent the winter at Windsor, was preparing to return to England in the spring. Women were scarce in those days in the colonies, and the older and wiser heads of Windsor held a council to prevent the departure of Martha. The strategy proposed was that the handsomest and most eligible man in the colony should court and wed her. Simon Wolcott was the suitor selected, and Martha Pitkin was persuaded to remain in America. From this marriage came some of the most illustrious of the Wolcott family—the great Roger Wolcott, whose son and grandson—both Oliver Wolcotts—were governors of Connecticut. The elder Oliver signed the Declaration of Independence, and the younger was secretary of the treasury under Washington. In the old East Litchfield burying-ground, Connecticut, is the Wolcott plot, near the centre. On the monuments

In memory of OLIVER WOLCOTT, Secretary of the Treasury of the United States and Governor of Connecticut. Born 4th of January, 1760. Died 1st of June, 1833.

On a marble tablet is also found the following:

To the memory of OLIVER WOLCOTT, late Governor of the State of Connecticut, who was born December 1, 1726, and who died December 1, 1797.

The story is told of the elder Oliver that he had the leaden statue of George III. moulded into bullets on his return from the signing of the Declaration of Independence at Philadelphia. After this statue had been torn down by the patriots in New York city it is said to have been secretly taken to Litchfield. The Colonial army being sadly in need of bullets, Oliver had the statue of George III. removed to an old building in the orchard near the family residence, where the women of Litchfield were invited to assist in making bullets out of His Royal Majesty, Oliver himself cutting the statue from the pedestal. From this old statue of King George III. 42,288 bullets were made for the soldiers of the Revolution.

Rev. Samuel Wolcott, D. D., father of Henry R. and Edward O., was famous as a Congregational minister. He was born at South Windsor, July 2, 1813, and was graduated from Yale college in 1833. The Rev. Dr. S. G. Buckingham of Springfield, Massachusetts, and Professors J. D. Dana and George E. Day of Yale were among his classmates. He completed his theological course at Andover in

1837. After being with the American Board of Commissioners for Foreign Missions at Boston for two years he was ordained in November, 1839, the Rev. Dr. Kirk of Mount Vernon preaching the ordination sermon. Samuel Wolcott then went to Syria as a missionary, arriving at Beirut in April, 1840. He did not return to America until 1843, and witnessed the exciting scenes of the bombardment of Beirut by the English and allied fleets. Syria was retaken from Mehemet Ali of Egypt, and for the Sultan. He labored at Damascus, Jerusalem and many of the most historical points in Palestine. The many valuable discoveries he made were published in the *Biblical Repository* in 1842, the *Bibliotheca Sacra* in 1843, and the American edition of 'Smith's Bible Dictionary.' Returning home in 1843, for over thirty years he was engaged in the ministry, having pastorates at Longmeadow, Belchertown, High Street church, Providence, in 1853; the New England church, Chicago, 1859, and the Plymouth church, in Cleveland, in 1862, which was his last pastorate. In 1874 he was made the secretary of the Ohio Home Missionary society, which position he held for eight years, and two years later he returned to Longmeadow, where Henry R. Wolcott of Denver provided him with an elegant home, where he lived until his death in February, 1886. Dr. Wolcott was a well-known writer of hymns, some of which are now sung in the churches.

A WRITER OF HYMNS.

One of the most popular begins thus :

Christ for the world we sing,  
The world to Christ we bring  
With loving zeal.  
The poor and them that mourn,  
The faint and overborne,  
Sin-sick and sorrow-worn,  
Whom Christ doth heal.

On the completion of the Union Pacific railroad Dr. Wolcott wrote a hymn on the conversion of the Chinese, beginning as follows :

Lo ! the land of Sin is waking  
Touched by rays of sacred light,  
Glim'rings from the Orient breaking  
O'er the darkness of her night.  
On the terraced hill-sides resting,  
Glancing over stream and lawn,  
Temple and pagoda cresting,  
Gleam the tokens of the dawn.

When Stanley, now lost in the Dark Continent, opened up the Congo, Dr. Wolcott celebrated the event by writing a hymn beginning :

All thy realms in midnight shrouded,  
Crushed beneath oppression's weight,  
Of thy sons by spoilers rifled—  
Victim of a bitter fate.  
Land of Sorrow,  
Drear thou wert, and desolate.

IN THE WAR DAYS.

Dr. Wolcott was a well-known public speaker, and his speeches in defense of the Union were among his best. He was a Christian and a patriot. Tall, stalwart and with a heavy head of white hair, his figure was a commanding one. His sons went to the war, E. O. Wolcott enlisting at the age of sixteen. At Cleveland, Ohio, it was no unusual thing for Dr. Wolcott's commanding figure to be seen addressing a great crowd on the latest news from the front. He was truly eloquent on great occasions, or when



thrilled by the stirring events of the war. This was forcibly illustrated on one occasion when he represented his class in the Yale alumni. The meeting was in the great College hall, at the earlier part of the war. Dr. Wolcott had just begun his speech when General Anderson, who commanded at Fort Sumter when it was captured, entered and took his seat under a gallery heavily draped with an American flag. This entrance of General Anderson caused a good deal of disturbance—some half cheering, others whispering and all turning to see the famous soldier. But above all the disturbance was heard the ringing voice of Dr. Wolcott, and as he spoke of the "flag stricken down at Sumter, now by God's grace floating over Sumter's hero," a storm of patriotism swept over those present which made the alumni meeting of '63 a memorable one at Yale. It was one of the most eloquent and stirring speeches ever made at a Yale alumni meeting. These reminiscences show that Colorado's new senator has his father's gift of oratory.

#### NEW ENGLAND'S FIRST COTTON BALE.

On his mother's side Senator Wolcott has a worthy ancestry. His mother was a Miss Harriet Pope, daughter of Jonathan Adams Pope, for many years a resident of Norwich. Pope's grandfather, Jonathan Adams, was one of the most prominent merchants of Providence, and brought into New England the first bale of cotton. He predicted a great future for cotton spinning, and persuaded his grandchild to follow in that line. During his life Mr. Pope owned and operated mills at Wrentham, Millbury and Oxford,

Massachusetts; Augusta and Brunswick, Maine; at Sterling and Griswold, Connecticut, and Perkinsville, Vermont. The first dam across the Kennebec river, in Maine, was constructed by Mr. Pope. He died in August, 1887, and probably no man up to that time knew more about, or had more to do with, developing the cotton-spinning industry of New England than Jonathan Adams Pope, the grandson of the man who shipped into New England the first bale of cotton. He was married in 1819 to Olive Lathe of Carlton, Massachusetts, who died in Norwich in 1850. Of the happy marriage of the Rev. Samuel Wolcott and Miss Harriet Amanda Pope were born eleven children, ten of whom are still living: Samuel Adams, stock raiser, near San Antonio, Texas; Henry Roger, capitalist, Denver; Edward Oliver (the senator), lawyer, Denver; William Edgar, Congregational minister, Lawrence, Massachusetts; Herbert Walter, lawyer, Denver; Mrs. Vaille, residing with her husband at Lexington, Massachusetts; Mrs. Toll, wife of ex-Attorney-General Charles H. Toll of Colorado, and three sisters, the Misses Anna, Clara and Charlotte, whose home is with their mother at Longmeadow.

#### HENRY ROGER WOLCOTT

was born at Longmeadow, Massachusetts, March 15, 1846. He is a director of the Equitable Life Insurance Company of New York, is the president of the Denver club, and has been its president most of the time since its organization; is president of the Denver, Utah & Pacific Railroad company and the vice-president

of the First National Bank of Denver, of which General David H. Moffat is president. His school days were passed in Providence, Chicago and Cleveland, cities where his father was variously settled as pastor of Congregational churches. After leaving the Cleveland High school, he started at once into business, and entered the Farmer and Painter's bank. Towards the close of the war, against the strong objections and wishes of his superiors in the bank, and when only eighteen years of age, he enlisted in a regiment formed at Cleveland for a hundred days' service before Washington. Towards the close of the time of enlistment the authorities at Washington desired to send the Cleveland regiment to the front, but on account of the objections of many of the men composing it, the plan was abandoned; but Mr. Wolcott and two of his friends obtained leave to reenlist with one of the regiments at the front, where he served until forced to go home on account of the army fever.

After leaving the army Mr. Wolcott was engaged in business in Springfield, Massachusetts, and in Chicago, and in 1869 came to Colorado.

On coming to Colorado he went to Black Hawk, where he engaged in mining, and was subsequently connected with the Boston & Colorado Smelting company, and was for some time its manager.

In 1878 he was elected state senator from Gilpin county, and was an active member in the sessions of the general assembly in 1879 and 1881. At the session of 1881 he was chosen president *pro tem.* of the senate, and by reason of the death of Lieutenant-Governor Robin-

son and the absence of Governor Pitkin from the state, was for some time acting governor of the state. In 1888 he was chosen chairman of the delegation to the National Republican convention at Chicago.

For the last few years Mr. Wolcott has devoted most of his time to his private interests, chiefly in lands, mining and smelting, in Colorado and Montana. Through his business and social relations he has formed a very large friendship by no means limited to the west. He has long been considered one of the leading citizens of Colorado, and is highly esteemed for his sound business judgment, his liberality and his devotion to his friends.

Mr. Wolcott is a man of affairs, a gentleman of stainless reputation, whose presence betokens great elevation of character and commands universal respect. When a child a strong brotherly affection sprang up between himself and his brother, Edward Oliver, which strengthened for each other as they struggled upward in this new state so many hundreds of miles from their birth-place and the scenes of their childhood in Longmeadow. Thus they have both achieved success—

"Mindful of their old renown,  
Their great forefather's virtues, and their own."

EDWARD OLIVER WOLCOTT,

United States senator from Colorado, is said to resemble his father very strikingly in mental qualities and his method of speaking and even the modulation of his voice.

He obtained his education and prepared

for college in Cleveland schools and an academy at Norwich, Connecticut, where his mother's family reside. He entered Yale with the class of '70, and during his college course formed many friendships among his classmates and teachers, which are still strong. After leaving Yale he studied law in the Harvard Law school and in the office of Russell Brothers in Boston.

In 1871 he came to Colorado, where his brother Henry had preceded him. He settled in Georgetown, and while waiting for clients and for a sufficient residence to be admitted to the territorial bar, he taught school for a few months in Central City.

In 1876 Mr. Wolcott was chosen district attorney for the First district, and distinguished himself by his vigorous prosecutions. Towards the close of his term as prosecuting attorney he was elected state senator from Clear Creek county, and was a prominent member of the Colorado senate in the sessions of 1879 and 1881. About 1880 Mr. Wolcott gave up his Georgetown residence and moved his office to Denver.

Perhaps one thing in Mr. Wolcott's life, of which he may be proud, was his enlisting when he was sixteen years old in an Ohio company, organized in Cleveland, and a short service before Washington. This service for his country, though bloodless, was nearly fatal from the fever which he contracted while stationed near Washington.

"As a lawyer Mr. Wolcott ranks among the leaders of the western bar, and enjoys a practice second to none in the state. He is known as a man of unusual talent,

both as an adviser and a counselor, and he stands to-day without a peer in Colorado as a finished and brilliant orator. Mr. Wolcott has achieved a position in the western world accorded to none but those of the highest talent, and which usually comes only as the reward and termination of a life of active labor. His superior ability, however, coupled with intense energy and high attainments, has made him, and deservedly so, a leader in thought, action and the conduct of affairs."

During the last campaign in Colorado (1888) it was generally understood that Mr. Wolcott was a candidate for United States senator, and some of the nominations for the general assembly were made with his election in view. Mr. Wolcott entered heartily into the campaign, and effected a thorough organization of the Republican party and also made speeches in all parts of the state, and the most sweeping victory the Republicans had ever had was undoubtedly largely due to Mr. Wolcott, and was an endorsement of his candidacy.

Of the seventy-five members elected to the general assembly, sixty-three were Republicans. A caucus of the Republican members for the purpose of nominating a senator was held on the second of January, 1889. But one ballot was necessary, as Mr. Wolcott received the largest vote ever cast for a candidate in a Colorado senatorial caucus. Of the sixty-two members present at the caucus forty-five voted for Mr. Wolcott, and Mr. Copeland, who was absent, would have voted for him, had he been present. Those in the caucus voting for Mr. Wolcott

were: Charles H. Abbott, Henry Armitage, Dewey C. Bailey, John D. Baldwin, Webster Ballinger, Charles A. Bartholomew, Fred Betts, Daniel J. Brophy, Lewis F. Carlile, M. B. Carpenter, I. W. Chatfield, Charles J. Christian, Frank T. Cochrane, Earl M. Cranston, A. G. Dunbar, William B. Ebbert, Henderson H. Eddy, Philip Feldhauser, Charles D. Ford, James F. Gardner, William Gelder, Homer H. Grafton, Charles J. Harris, S. H. Hastings, H. G. Heffron, James K. Hicks, Edwin W. Hurlburt, Charles M. Kellogg, Charles S. Libby, James A. McCandless, James W. McCreery, Fred A. Metcalf, Juan D. Montez, F. M. Myrick, Charles E. Noble, John G. Oliver, S. F. Parrish, William J. Phillips, Hiram Prince, Joseph Purcell, George C. Reed, Manuel Sanchez, O. E. Sperry, Miguel A. Vigil and Thomas A. Wilson.

We copy from the press account of proceedings in joint convention, when Mr. Wolcott was formally chosen as United States senator to serve the full term of six years from March 4, 1889:

#### FLORAL TRIBUTES.

Just preceding Mr. Wolcott's entrance four handsome floral pieces were brought in. One was a large star of immortelles, red, white and blue, or purple, with the words "*Facile Princeps*" deftly wrought in the circular centre, and with fern, myrtle and tufted plumes harmoniously relieving the heavier colors. This was a tribute from the Republican members of the house. A handsome basket of roses and heliotropes bore a card, "From your friend, John Corcoran;" a large cluster of roses was not accompanied by

any indication of the donor, while a horseshoe of red and white chrysanthemums carried only a card upon which was written: "From a friend."

#### THE PRESIDING OFFICERS.

President *pro tempore* Carpenter performed the duties of presiding officer with grace, and made the announcement of the election. Speaker Eddy occupied a seat at Senator Carpenter's left.

Senator Cochrane and Representatives Harris and Bartholomew were the members of the committee honored with the privilege of escorting the senator-elect to the platform.

#### A FRATERNAL SCENE.

Among those present at the meeting of the joint convention Mr. Henry R. Wolcott was scarcely less conspicuous than his brother, the senator-elect. He sat midway from the entrance to the floor of the house and directly in front of the speaker's platform. During the announcement of his brother's election and the new senator's speech his face was illumined with the great joy he experienced at the fruition of his ambitions and hopes for his kinsman. There was a very pretty touch of nature in the scene of one brother, in the pride of his acceptance of the highest honor in the gift of the commonwealth, pointedly and gracefully acknowledging fraternal constancy, and the other exhibiting the unalloyed pleasure he so deeply felt.

#### SENATOR WOLCOTT'S SPEECH OF ACCEPTANCE.

*Mr. President and Members of the General Assembly:*

No task imposed upon me could be at



once so grateful, and yet so difficult, as that of thanking you for bestowing upon me the highest honor in the gift of the commonwealth. And if words fail me, and I speak with halting tongue, believe me, it is because my heart is full, and because your confidence touches me too deeply for words. For, you see, I came to Colorado the year after I came of age; all the years of my manhood have been passed here, and Colorado is almost as much my home as if I had been born within her limits. During all these years, among all the day-dreams and hopes which fill a young man's brain, none came so often, and so often recurred again and again, as one that some day I might be honored by being called upon to share in representing our beloved state in the councils of the Nation. You have today made that which I had feared was but a castle in Spain, as true and real as is my gratitude; and this, too, makes it hard for me to adequately express my thanks. [Applause.]

It seems impossible that contest for office should be carried on without a certain amount of rancor and cruel personal attack. Your deliberations upon the senatorial election were preceded by even more of personal criticism and assault than usual. Yet now that it is all over, we can take pleasure in remembering—

What all experience serves to show,  
No mud can soil us but the mud we throw.

And the shafts which have been directed against me have inflicted the less suffering because of the deep and abiding faith and confidence of dear friends, which furnished me an armor that the arrows of

malice could never penetrate. But if we strive and struggle for victory we are quick to accept results and to seek to avoid even the danger of dissensions within our ranks. [Applause.] Some of you had another personal choice, but all accept the will of the majority; and, on my part, I desire to assure you that I fully and cordially recognize and appreciate the fact that the votes which elect me to the senate are the united and unanimous votes of the dominant party, as represented in this assembly, and that I as fully and cordially recognize the obligation that should follow such a vote.

No man was ever sent to represent a state under happier auspices. You have made me the colleague of a gentleman\* who stands for all that is highest and best in the history, the growth and the hopes of Colorado, from the pioneer days until now; whose high attributes of statesmanship are recognized not only in the state he represents, but throughout the land; whose personal qualities have endeared him to all good men who know him, and with whom it is an honor to be called upon to serve. Nor has there ever been a time when Colorado needed more faithful service. We are but facing the dawn of our prosperity; our mining interests are in their infancy; the public lands within our borders are rapidly being turned into thrifty farms; great and varied industries are finding lodgment here; and new channels of commerce are directed towards us.

As there is no state in the Union with the vast resources of Colorado, so there is

\* Honorable Henry M. Teller, United States senator.

none whose interests need such wise and careful protection by National legislation. Above all is it essential that, as the tide of population pours in, we look to its character as well as to its volume. We have for years been peopling our land from all countries; the time is at hand when to other tests of citizenship should be added that of fealty and devotion to American institutions.

With these words of general and grateful acceptance, I should perhaps make an end, but, Mr. President, you will, I know, pardon one word of personal mention. There are in this general assembly gentlemen who left their business and their

professions to serve as members of this body, solely because they were my friends, and others who, from the election until now, have been to me as steadfast as brothers—and nobody knows as I do what a brother's constancy means—and I cannot leave this presence without assuring them that between the lines of the parchment which shall be the permanent evidence of your action of to-day, I shall read their names in letters that will never fade, and shall recall with tender memory, as long as I live, their kindness, their friendship and their devotion. [Applause.]

HENRY DUDLEY TREETOR.

#### BENCH AND BAR OF DULUTH.

On the first day of March, 1856, St. Louis county, taken from Itasca, was declared to be an organized county by the territorial legislature of Minnesota and attached to Benton county for judicial purposes. On the nineteenth of May, 1857, "that fractional portion of Minnesota Point lying at the northern extremity of the same, in township forty-eight and township fifty north of range fourteen west," was created a "town corporate and politic, by the name and style of Duluth."

The county-seat was first established at Portland, now a part of Duluth, and by an act approved August 2, 1858, the board of county supervisors were authorized to issue bonds of the county for the sum of ten thousand dollars for the purpose of erecting county buildings in St. Louis

county, and also for building bridges and opening and improving roads therein.

The first court in Duluth was held in a little unfinished room next to what now is one of the express offices. Then court was holden two or three terms in a school-house; then a brick building was rented known as the Ray block, in the east portion of the city, the lower part being used for offices, the upper part for a court-room. It was used as the court-house for three or four years, when the upper part of the Banning block was hired for that purpose, where the courts were held until the year 1883, when the present court-house was erected at a cost, in round numbers, of twenty thousand dollars.

The first entry in the journal of the first district court of Duluth is as follows:

"District Court, } Saint Louis Co., Minn.  
First District,

"Monday, August 1st, 1859, 9 o'clock A. M. In the absence of the Honorable Judge S. J. R. McMillan, the court was adjourned by the clerk to Tuesday, August 2nd, at 9 [o'clock] A. M."

"Tuesday, August 2nd, 1859, 9 [o'clock] A. M. Court met pursuant to adjournment. Present, Judge S. J. R. McMillan. There being no business ready, adjourned until 2 o'clock P. M.

"Two o'clock P. M. Court met pursuant to adjournment. Present, Judge S. J. R. McMillan. Ordered by the court that the Honorable Samuel Badger, jr., for the time being, perform the duties of district attorney.

"The United States } The defendant,  
vs. } Louis Droz, and his  
Louis Droz. } bail, Nirber and Posey, each being called three times and not appearing, their recognizance was forfeited. Ordered, that the forfeiture of the recognizance of the defendant and his bail be taken off upon the defendant entering into a new recognizance with one or more sureties to be approved by the clerk of this court, in the sum of \$500, condition for appearance at the next term of this court. Court adjourned *sine die*."

What particular crime against the peace and dignity of the United States "the said Louis Droz" was charged with, does not appear. Three days after adjournment of the court, Judge McMillan ordered that a scrawl with the words "Seal District Court, St. Louis Co., Minn.," included therein, "be used as the seal of the district court for St. Louis county, Minnesota, for the time being and until a seal shall

be furnished and provided according to law."

The clerk of the court at this time was J. B. Culver; the sheriff was Andrew J. Ellis. The first suit began in the district, so far as appears from any papers on file, was that of Lewis M. Dickens against William G. Cowell. It was an action on a promissory note; and, as the plaintiff was "inclined" to believe the defendant was then a non-resident of the state, an attachment was issued against "all the property of the said defendant" in St. Louis county.

Duluth (and of course St. Louis county) was, first, in the First judicial district of Minnesota; afterward, in the Seventh, which was created on the fifth of March, 1870, and took in the counties of Stearns, Sherburne, Benton, Morrison, Crow Wing, Aiken, Cass, Douglas, Todd, Mille Lacs, Polk, Stevens, Traverse, Pembina, Clay, Wilkin, Grant, Otter Tail, Wadena, Becker, Pope, Saint Louis, Carlton, Itasca and Lake, then in the Eleventh, in which it still continues. The second judge who sat upon the Duluth bench was James M. McKelvy. He held his last court in the place in the first half of August, 1874, the act creating the Eleventh district having been passed on the fifth of March preceding; it included the counties of Crow Wing, Aitkin, Cass, Polk, Pembina, Clay, Wadena, Becker, Saint Louis, Carlton, Itasca, Beltrami, Lake and Traverse, which territory constituted nearly the half of the state—the north half. A district judge, O. P. Stearns, was appointed under this act to hold office until the next general election, when he was elected to succeed himself. He

is still upon the bench of St. Louis county; but the district now includes only the counties of St. Louis and Carlton, with Lake and Cook counties attached to the former for judicial purposes. Judge Stearns holds annually three terms of court in St. Louis county, and two in Carlton county.

The first journal of the district court for St. Louis county is a curiosity. It begins with a record of liens filed "for materials furnished and work done" by various individuals in the building of certain houses. Then appears a number of marriage certificates recorded by the clerk of St. Louis county. Of these the first one reads as follows:

"Grand Portage, 8 Mo., 4th, 1858.

"Has been married by myself at Grand Portage, on the 5th of August last, Abraham Bonneau and Elisabeth Nadau, both of Monroe, Michigan.

"D. D. RARQUET, Missionary."

After this there follow two declarations of persons whose intentions were to become citizens of the United States. The journal proper then begins, but occupies less than two pages of the book, and contains the record of the opening of the district court of the First district as before mentioned. Succeeding this is a "summons for relief" in the "district court, 1st judicial district, Manomin county." Immediately after this entry is the finding of the judge in a case which went by default in the same county of "Manomin." This record is signed by "S. J. R. McMillan, judge," at Stillwater, January 19, 1860. There are other cases decided which appear here as a matter of record: one in Washington county and

another in Dakota county. Then comes in regular order certificates of intentions to become citizens, until finally the "Court Record," as it is called, is reached.

But the "Record" is a small affair, although purporting to be that of the district court of the Seventh judicial district, of which James M. McKelvy was judge. There is but one finding by the court (November 5, 1869), and the "Record" terminates, to be supplanted by the naturalization of sundry persons whose names are given.

This is the next entry:

"State of Minnesota, }  
County of St. Louis. } We, the un-

dersigned, master and wardens of Palestine lodge, No. 79, of Ancient, Free and Accepted Masons, in conformity with an act of the legislative assembly of the Territory of Minnesota, entitled 'An act to incorporate the Grand lodge of Ancient, Free and Accepted Masons of Minnesota,' approved March 5, 1853, do hereby certify that the name of said lodge is 'Palestine Lodge, No. 79, of Ancient, Free and Accepted Masons'; that it is located at and meets in the village of Duluth, in the county of St. Louis and state of Minnesota.

"Given under our hands and the seal of said lodge, this twenty-eighth day of February, A. D. 1881." [Here follow the names of the officers of the lodge.]

To make the "hotch-potch" complete, the journal then contains a brief list of judgment debtors and creditors, with date of judgments rendered at various times, dates of docketing the causes and amount of judgments rendered, copies of marriage certificates, another record of



causes that have been tried at various dates, intentions of various persons to become citizens of the United States. The "Record" ends with the statement that George R. Stuntz is the creditor, to the amount of one hundred and fifty dollars, of one Theodore Miller, on the thirty-first of August, 1863, "for surveying, exploring and examining a certain tract of land and exposing former knowledge of the same," and demands judgment for the amount. The papers in the case show that he took judgment by default. There is no light thrown upon the plaintiff's words, "exposing former knowledge of the same," so far as appears in the record of the case; however, it is fair to be presumed that they helped materially in making up his claim.

"When I went on the bench of the Eleventh district," said Judge Stearns, recently, "there was not a full set of 'Minnesota Reports' west of Duluth, and there was not a court-house in the district. We held court where we could—in churches, in stores, school-houses, and sometimes in places not quite so respected. I remember at Detroit once we used a saloon, a sort of double-barrelled saloon that had the liquors in the front room and another room back. We took hold and moved the liquors into the back room and held court in the front—close by—a very convenient arrangement for some of the attorneys. As we had no libraries or books, only what we carried in our hands, it was a rough kind of justice we dispensed, but I am glad to say, looking back over the short space that has shown so marvelous a development, that it was, I believe, a fair justice that

we administered. When we had no law we simply did the best we could and relied on our hearts and our heads to do the right and just thing, and to reach just equity between man and man. Mr. Comstock used to say that there was no lawyer among us who knew enough to take an appeal, and therefore ours was a court of last resort."

"I remember once," continues the judge, "in trying a criminal case, the jury was charged and sent out, occupying for its deliberations an old room that had a crack in it, through which we, waiting in the court, could overhear all of their discussions. Finally they struck a point in the charge, and we heard one juror proclaim—'The judge says so and so, and Comstock [one of the counsel] says so and so; now, how the devil are we to know who is right?' Of course I had to recall them and impress on them that as between judge and counsel they had to take the judge for it. Once over in Becker county there was a juror who was determined to go to sleep. After awhile the clerk called my attention to the juror continuously asleep, and I called the counsel up and asked if we should stop and wake the juror. Counsel said no, let him sleep. When I came to charge the jury I charged the eleven and to the sleeper said: 'You have slept all the while and haven't heard the evidence. But you can go out with them, and if you can manage to find the same verdict as the other eleven, why well and good.' This he managed to do."

Judge Stearns, in speaking of the great growth of this region, says that on the spot where the city of Crookston, Polk

county, now flourishes, he organized the first court in 1874. There were present Judge Reynolds, Mr. Ball and himself. Scattered about were six houses, among logs, trees and stumps, but no room where court could be held. But as there was a motion to argue, Judge Stearns took a stump, Reynolds a log and Ball a stump, and there was held the first court in Polk county.

It must be clear to the mind of the reader that the history of the bench and bar of Duluth would be imperfect should there be no reference to the life-career of the judge just mentioned, and equally wanting without mention being made, biographically, of some of the leading attorneys who are practicing in that city.

CONSUL WILLSHIRE BUTTERFIELD.

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OZORA PIERSON STEARNS.

The subject of this sketch was born January 15, 1831, at Dekalb, St. Lawrence county, New York, the tenth of a family of eleven children. When about a year and a half old a fire had been built in the yard to heat water in a caldron kettle. The kettle had been removed from over the fire and set beside a bed of coals which were soon covered with a film of ashes. The child went to play with the water in the kettle and walked barefooted into the bed of coals. He hadn't judgment enough to get out and danced in the coals till his screams attracted the attention of the family, when he was taken out with his feet thoroughly cooked. Saving his life was almost a miracle. He was carried three weeks in the arms of his parents and others with his feet higher than his head. His feet still show the effects of that burning.

In 1833 Ozora's father moved to Madison, Lake county, Ohio. When his father got settled in Ohio he was practically without means, but was recognized as an honest, industrious man. He had little desire for money and little business

capacity for obtaining it. He was a great reader and a sound reasoner. He had a judicial turn of mind, and had he been bred to the law would have made a success. For four years, from 1831 to 1834 inclusive, he lived in a small rented house in Madison, on the banks of Grand river, as poor as need be.

The father held liberal religious views and the mother was a strict Baptist. It was about this time that Charles G. Finney was getting up his great revivals. One day Ozora's father came home driving a yoke of cattle and found Finney on horseback in front of the house, telling the mother and the children that they, the children, were going straight to hell, and had them all groaning, praying and crying. The father was so incensed that he used his ox-whip on Finney's head and shoulders and soon cleared the decks and put a stop to the groaning and weeping.

Ozora was thoroughly instructed by his mother in all the essential doctrines of orthodoxy and was religiously inclined. An anecdote is told of him that occurred when he was four or five years old. A



*O. P. Stevens*

U. S. M.

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neighboring woman had in some way offended him. He said: "I hate Marm Hill." His mother said: "Why, that is wrong. The Bible says you must love everybody." He replied: "Well, I love her soul but I hate her body."

In 1837 the boy's father rented a farm near by on which they lived one year. Ozora assisted during the summer as best he could and attended school in the winter. The next year another farm was rented near by and the boy went through a similar experience.

In 1839 an uncle of his bought a farm of thirty acres in a back-woods settlement on the lake shore in Perry, Lake county, Ohio, and gave the use of it to the father. They moved there in the spring of 1839. It was a pretty rough settlement. Most of the boys went sailing as soon as they were old enough, and spending their winters at home the younger boys caught their sailor manners and were pretty wild. Ozora wasn't behind the rest, and for some years was a very ragged and very saucy boy, working on his father's and neighbor's farm during the summer and attending district school winters. He was an apt student and always kept well up with and ahead of his classes.

Very little was thought in those days in that settlement of any education beyond that furnished by the common school. One older brother and two older sisters, however, attended academies and select schools and fitted themselves for teachers. The family, because of their desire to obtain more learning than could be had at home, were thought to be of aristocratic tendencies, of which the children were often reminded by other children.

As near as the time can be fixed, it was when the boy was about twelve or fourteen years old that he stood for a long time one day looking at the fire in the old-fashioned fire-place, revolving in his mind the great problems of life, and at the end of his reverie he said aloud and with energy: "I will have a liberal education and be a lawyer," the main features of which determination he ever afterwards adhered to through all sorts of difficulties and discouragements.

In the spring of 1848 the young man's father gave him his time, and he started out in the world without a dollar; and he has never had a dollar since from any source that he has not honestly earned. He hired out to work on a farm at ten dollars a month, half store pay. He was small of his age and not physically strong, and it was very hard for him to do a full man's work. He got along, however, very well, working with others, till after harvest, when he was put to work alone, hauling out manure. This gave him a chance to think, and while thus cogitating, he determined to attend a term of school at Madison seminary that fall and teach the following winter. He made known his determination to his father, who tried to dissuade him, thinking he had better wait another year, but the young man was determined, and the father finally assented.

By boarding himself and practicing economy, he made his earnings of the summer carry him through. He passed his examination, got his certificate and took a small district school at twelve dollars a month and "board round." Being small of his age and boyish, the fact that he was to be a *school-master* created

great merriment among the people in his neighborhood. Indeed, but for the high reputation as teachers enjoyed by his older brother and sisters, he would hardly have been able to secure employment. He, however, got through with his school passably well and thoroughly enjoyed the opportunity which *boarding round* gave him to study human nature.

In the spring of 1849 a neighbor for whom the young man had often worked by spells, making rails, hauling charcoal and farming, removed to Northern Illinois. Ozora felt a lively impulse to go west. He wanted to go to California, but could not raise the money. So he did the next best thing—drove his neighbor's team as far as Chicago, and made his way partly with teams going in that direction, and partly on foot, to Monroe, Wisconsin, where he had a brother living, secretly hoping that he might find some way to get from there to California. Failing in this, he concluded to try his luck in the lead mines. He spent the season prospecting, except that he worked on a farm in haying and harvesting; and as winter approached he found himself dead-broke. He abandoned mining and taught a district school at fifteen dollars a month *boarding round*.

In the spring of 1850 he learned his father had the ague, and he immediately started for home, walking from Monroe to Milwaukee, and taking steerage passage from Milwaukee to Fairport, Ohio, walking from there home. He worked his father's little farm that summer; and in the fall, his father having recovered, he attended a select school at Unionville, Ohio, and in the winter taught a district

school in Madison. He had about sixty-five scholars, and taught all branches from the alphabet to algebra.

In that part of the country a great many were in the habit of fitting out grafting teams that went all over the older portions of the United States grafting fruit-trees. In the spring of 1851 he hired out on one of these teams and learned the trade. He again worked in haying and harvest and attended the fall term of school at Kirtland, Ohio, taught in Perry in the winter, and in the spring of 1852, with a partner, ran a grafting team in Pennsylvania and Maryland on their own account. After this he again worked in haying and harvest, and attended the fall term of Grand River institute at Austinburg, Ohio, and made all arrangements to attend the winter term; but during the vacation he again got the California fever, and in December, 1852, started for the gold-mines *via* New York and the Isthmus of Panama.

From New York to Aspinwall the young man had the usual experiences of a steerage passenger on a stormy passage. He was fearfully seasick for four days. Then the sea calmed and he was fearfully hungry, but could not "stomach" to eat the fare furnished in the steerage dining-room. He finally succeeded, with a bottle of brandy a friend had given him, and a little money, in bribing one of the colored cabin waiters to bring him food from the cabin, and the latter came regularly, like an angel of mercy in a cloud of darkness, till the end of the voyage.

Young Stearns was detained at Panama some ten days. He took the Panama fever and came near dying on the passage to San Francisco. He arrived at Dia-

mond Springs, California, on January 15, 1853, being then twenty-two years old, and commenced digging for gold. He remained there a few weeks, earning wages in surface diggings, and then bought an interest in some deep diggings at Coon Hill, near Placerville. He worked in these until August, 1853, and then sold out and found he had about one thousand dollars net. He immediately determined to return to the states and prosecute his studies. He returned and again entered Grand River institute at Austinburg, Ohio, and remained there till the middle of the winter of 1853-4. About that time there was to be an address in the village near by, by some person high in Oddfellowship. With quite a number of other students he attended the lecture. The school authorities claimed it was in violation of the rules of the school and required all students who had attended to make public acknowledgment before the school that they had done wrong and express sorrow for it. But young Stearns claimed that they had violated no known rule and refused to comply with their demand. They then requested him to withdraw without stating the reason, and they would pay the expenses of removal to another school.

This the young man refused to do; stated that he would withdraw, reserving to himself the right to tell the true reason of his withdrawal.

After he had withdrawn, the young man remained in town to take lessons in penmanship, when the president began to treat him as an expelled student, forbidding the students to associate with him. This aroused Ozora's anger and that of

the great body of the students, and a lively war broke out. The authorities to fortify their position went through the form of a public expulsion. The students still refused to obey the order not to associate with the young man. One student was expelled for this refusal. Then there was open revolt in the school, which was only quelled by the resignation and withdrawal of the president.

From Austinburg, in the spring of 1854, Mr. Stearns went to Oberlin. After he had been there one term, the authorities at Austinburg sought to prevent his entering a second term on the ground that he was an expelled student. But during the term that he had been there, he had made too many friends among the professors, and they failed.

At Oberlin, under the preaching of Mr. Finney, he gave his first real serious thought to religious and theological subjects. He somehow had come to hold in a vague and indefinite way something of the opinions of the liberal Christians of to-day. He didn't know that any good man of learning and ability ever held such opinions. He had always heard skeptics spoken of as bad men, and supposed they were. The powerful preaching of Mr. Finney alarmed him lest he might be on the road to everlasting perdition. He well remembers one sermon of his in which he painted the torments of the damned forever boiling up in agony, ever dying and never dead, while the redeemed looked over the battlements of heaven and added to their joy by contemplating the dreadful fate they had escaped. He was powerfully affected by conflicting emotions about this time. He chanced, however,

to get hold of some of Theodore Parkin's works. They came like healing balm to a wounded soul. From that time he unhesitatingly and without fear or doubt has held and advocated the doctrines of liberal Christianity, advancing in his views with the advance of light and knowledge.

He remained in Oberlin—teaching, during the winter vacation, at Camden, near by—until the fall of 1855, when he spent a few months selling fruit and ornamental trees in southern Ohio. In January, 1856, he entered Michigan university at Ann Arbor. In the fall of 1856 he made a few stump speeches in Ohio and Michigan for Fremont and Dayton. As a stump speaker, where great issues were at stake, he was, from the first, a decided success. He had a deep, strong, rich voice, a keen, bright, sometimes called wicked, eye, and his earnestness and zeal and sledge-hammer logic took the place of literary polish and graceful gestures, and held the close attention of audiences to the last.

In 1858 Mr. Stearns graduated from the literary department of Michigan university. He then came near giving up the study of law and devoting himself to medicine. He had imbibed the foolish notion sometimes prevalent that it is dishonest for a lawyer to advocate whichever side of a controversy he is paid to advocate, and he wanted to be an honest man. A friend disabused his mind of this notion, and he commenced the study of the law in the office of James B. Gott of Ann Arbor, and graduated from the law department of the university in 1860. During the whole time, from 1848, when he started for himself, he never rested from study or work more than ten days at

any one time, and he did not average five days' rest a year.

While in Michigan university Miss Sarah Burger, with others whom she had induced to join her, made application for admission to the institution. This caused a great deal of discussion, private and public. Mr. Stearns earnestly advocated their admission. Through this an acquaintance sprang up between Miss Burger and himself which resulted in their marriage.

After graduating in the law, the subject of this sketch started west to seek a location. On the first day of May, 1860, he found himself at Rochester, Minnesota, with but twenty cents in his pocket, and concluded he might as well remain there. He opened an office for the practice of law. Times were dull, and but for one client who had quarrelled with every other attorney in town, it is thought the young lawyer would have starved out.

Early in the campaign of 1860 Mr. Cogswell of Owatonna made a Democratic speech in town. He stated a number of points which he said Republicans would never discuss, and called upon anyone in the audience to reply to him then and there. No one replied, but when he was through Mr. Stearns arose and offered to meet him in public debate on those very points, at any time and place he would name. Mr. Cogswell was an able man and a fine stump speaker, and it was not easy to understand why he declined the challenge. However, the Republicans of Rochester appointed a meeting at which Mr. Stearns was to answer Cogswell's speech. The result was to the satisfaction of the Republicans.



It was the speaker's first stump speech in Minnesota. After that he stumped the county. His mind was so much taken up with the political issues of that time that he made but small progress in the knowledge or practice of the law. Nevertheless he was, in the fall of 1861, without any effort on his part, nominated and elected county attorney of Olmsted county.

In August, 1862, Mr. Stearns accepted a commission as second lieutenant and recruiting officer and recruited a company which became Company F, Ninth Minnesota Volunteer infantry. He was made first lieutenant of the company, yielding the captaincy for the sake of harmony. His company was mustered in at Fort Snelling about the time of the Sioux Indian outbreak, and soon after was stationed on the frontier, first at Glencoe, afterwards at Hutchinson, and finally at Fort Ridgely. Lieutenant Stearns was adjutant of the post at Fort Ridgely during the winter of 1862-3.

Lieutenant Stearns was then (and he is now) a very poor penman. While adjutant of the post he had to report to Colonel Miller, commanding at Mankato. He had a sergeant-major who was a fine penman, and he made out all the reports in his own handwriting, signing the lieutenant's name. In the spring of 1863, Colonel Miller was placed in command of the district of Minnesota, headquarters at St. Paul, and he immediately detailed Lieutenant Stearns as one of his staff. The young officer at once reported, and after a few days was set for duty to work recording papers in a large fine book. The lieutenant was a soldier and bound

to obey orders. He recorded one paper and stepped out of the office to give the colonel a chance to inspect it. Then returning he stepped up to the book to go on with the work. The colonel said he guessed he needn't do any more recording, and explained why he supposed the lieutenant was a fine penman. The latter thereupon offered to return to his company, but he said no, that he would find something else for him to do; and he remained on his staff during the summer.

In the fall of 1863 his regiment was ordered to Missouri and his company was stationed at Jefferson City. Until the spring of 1864 he was most of the time detailed as judge-advocate on courts-martial and military commissions.

In April, 1864, he was commissioned colonel of the Thirty-ninth regiment United States colored troops, a regiment raised in Baltimore, Maryland. He joined his regiment at Manassas three days before the battle of the Wilderness; his command brought up the rear of the army and went into the battle of the Wilderness on the last day of the fight. He was with the Army of the Potomac through the campaign of 1864.

At the mine explosion in front of Petersburg July 30, Colonel Stearns' regiment was the last to go into the fight after the rebels had rallied and formed a cordon of fire along the whole front. As they were passing the crater, moving by the flank, a cannon-ball took off the head of one of his men near the front of his regiment, and threw the head of the column into some confusion. The air was full of grape canister-shells and minie-balls. The colonel mounted a chunk of clay about three feet

high, and drew his sword and shouted to his regiment with a voice that could be heard above the din of battle, and it immediately came into line and filed past him in excellent order. Those were, he declares, the happiest moments of his life.

When the rebels made their final charge, after nearly the whole line had given way, Colonel Stearns rallied a few men and was holding a short piece of the line just at the right of the crater, when a shell burst, seemingly right in his face, which stunned him for a moment. When he recovered he was alone—all others had fallen or fled. There were some still fighting in the crater. He went into it to see what could be done. He saw it was impossible to hold it. This was just after the Forest massacre. He thought, if captured, he would be hung. He concluded to try and reach the Union lines, one hundred and fifty yards away. As he started, several started with him. They had gone but a few yards when every man that started with him had fallen. In his mind he gave up all hope and said: "Well, you've got me now, and you'll shoot me in the back, but you shan't shoot me running." He then stopped running, took out his sword and walked slowly, clipping weeds. He reached the old line of works, leaped over them, and commenced preparing for an expected assault on that line. Just then another shell burst, seemingly in his face. Against his right shoulder was a cavalry soldier and against his left a colored soldier. The shell tore off the shoulder of the cavalry soldier so he could see the beating of his lung, and tore

away the chin of the colored soldier. The colonel was unharmed. He lost in this engagement ten officers and one hundred and eighty-five men killed and wounded. His colors had thirteen ball holes through them. His color-bearer, at his request, was voted by congress a medal of honor for bravery in this battle.

Colonel Stearns accompanied General Butler on his Fort Fisher expedition. He also went with General Terry and was present at the capture of Fort Fisher, and remained in North Carolina till the close of the war. His regiment was the first to enter Wilmington. Thousands of colored people met them. When he announced to them that they were free, the expressions of joy by words and acts were such as words are inadequate to describe. A beautiful young German lady brought out a small American flag and waved it, saying she had kept it concealed a long time, but now she could wave it. She seemed as much excited as the colored people.

After the war was practically ended Colonel Stearns was in command of the forts at the mouth of the Cape Fear river, headquarters at Smithville. One day he attended church. There had lately been a fine steamer wrecked near Fort Fisher, scattering all kinds of goods along the coast. The minister, after referring to the great sufferings the southern people had endured, said: "But, my brethren, God has not forsaken us, only see what a splendid wreck he has lately sent us."

In his command the colonel had civil as well as military law to administer. A few days after, a man came to him complaining that the same minister refused to pay

a gambling debt, and wanted him to enforce it. He said he thought a minister ought to pay such debts.

In December, 1865, the colonel was mustered out at Baltimore and returned to Rochester. He had been again elected county attorney of Olmsted county. In the spring of 1866 he was elected mayor of Rochester and held the position two years. In the fall following Olmsted county gave him a complimentary vote in convention for congress, and in 1868 made a determined effort for his nomination, which was not successful. In 1867 he was appointed register in bankruptcy for his congressional district.

In 1866 Colonel Stearns formed a law partnership with Charles M. Start, now district judge. They soon had a large practice, so much so that he over-worked and temporarily impaired his health.

In January, 1871, the legislature elected the colonel to the United States senate to fill the unexpired term of Honorable D. S. Norton, then deceased. During his short term he was successful in getting through several bills for the relief of Minnesota soldiers. His bearing in the senate was such as to secure the good-will of all the senators, and he got bills through that old senators declared no other senator on the floor could have gotten through.

In the spring of 1872 he formed a law partnership with J. D. Ensign, and removed to Duluth. They soon had a large practice and were employed in several suits brought by the secretary of war and the state of Wisconsin to prevent the making and maintaining the Duluth ship-canal.

Mr. Stearns was, on several occasions, sent by the governor of Minnesota, the chamber of commerce of Duluth and a water-ways convention held at St. Paul, to Washington to look after appropriations for Duluth and the great northern water-way, and met with general success.

In 1873, on the failure of Jay Cook, Duluth became bankrupt, with an enormous debt hanging over her. Property became worthless, and people almost ceased to pay taxes. It was then Mr. Stearns devised a scheme for compromising the debts of the county and city which was satisfactory to the most of the bondholders, and having secured from the legislature the necessary legislation, he visited eastern bondholders and induced them to come into the arrangement, and succeeded in so reducing the debts as to make it possible to build a city there.

When prosperity returned, it became necessary to negotiate the city bonds again to build school-houses. The name "Duluth" was then enough to condemn any bond. However, Mr. Stearns went boldly into Wall street and by perseverance under the most discouraging circumstances succeeded in placing a block of six per cent. bonds at par. From that time the credit of Duluth was firmly re-established.

In 1874 the subject of this sketch was appointed by Governor Davis judge of the Eleventh judicial district of Minnesota. In the fall of the year he was elected without opposition to the same office for a term of seven years. In the fall of 1881 Judge Stearns was again elected without opposition for a term of six years, and again in the fall of 1886, without opposi-

tion, for a term of six years, commencing January 1, 1888. He is president and treasurer of the Lakeside Land company, a director in the West Duluth Land company, the Duluth Electric Light and Power company, the Masonic Temple association, the Duluth Building and Loan association and the Duluth Union National bank.

No one has ever questioned the honesty or ability with which Judge Stearns had performed the duties imposed upon him. He has been active, liberal and unselfish in the promotion of public interests. He is a zealous Unitarian of the liberal kind, and has taken a lively interest in establishing and maintaining the first Unitarian society of Duluth.

His marriage, already spoken of, to Sarah Burger, was at Detroit, Michigan, on the eighteenth of February, 1863. So long as the war lasted, Mrs. Stearns

labored in behalf of the sanitary commission by public addresses and personal effort. Since coming to Minnesota she has been an energetic worker in benevolent enterprises and temperance work. She is a firm believer in the equal rights and responsibilities of women. She is president of the Home Society of Duluth, and it has been mainly through her efforts that the society has built and furnished and now maintains at Duluth a temporary home for needy women and children. She never allowed her public labors to interfere with her domestic duties.

There are three children of the family: Susan M., Victor and Stella—all children of whom any parents might well feel proud.

Judge Stearns has been reasonably successful in business and has a liberal competency.

#### DANIEL G. CASH.

Any attempt to show, in a proper light, the character as to integrity and capability of the bench and bar of Duluth would surely be defective without a reference to Daniel G. Cash, one of that city's most prominent attorneys.

The father of Mr. Cash was born in Bradford county, Pennsylvania, on the eighth day of April, 1806. The maiden name of his mother was Fanny Tooker, whose native place was Peru, Huron county, Ohio, where she was born on the nineteenth of April, 1819. It was in March, 1840, that their marriage took place. The eldest child of this union—

Agnes F.—is now the wife of Porter A. Hitchcock of Pontiac, Michigan.

Daniel G. Cash was born on the eleventh of February, 1843, at Cleveland, Ohio. His father, two years subsequent to this, went to Lake Superior and made a preëmption claim on the west bank of the Ontonagon river, the largest stream entering into that lake on its south shore. In addition to the typical preëmption log-cabin, he built a large two-story house of hewn timber, and in the fall of 1847 removed his family, consisting of the mother, sister and son, to his new home.

At that time there was no canal at the





David H. Cash

David H. Cash

1880

1790

Sault Ste. Marie, and boats from the lower lakes discharged their freight for Lake Superior ports at that place. It was then taken across the portage where the present canal is located, and there reloaded onto the Lake Superior boats, which had themselves been hauled across this same portage and launched in the Sault river above the rapids. The family made the passage from Cleveland to the Sault on the steamer *Sam Ward*, and after crossing the portage reëmbarked on the last boat of the season, the *Julia Palmer*, a small side-wheel steamer of about two hundred tons' burthen.

They left the Sault on the twenty-fourth day of October, 1847, and were just three weeks making the passage from the Sault to the Ontonagon river. Fierce winds, accompanied by blinding snow-storms, prevailed during most of the trip, and once they were driven clear across the lake and attempted to make a lee to the north of Isle Royale, but when they reached the vicinity of that rocky, uninhabited island it was late at night in a heavy snow-storm, with the wind blowing a gale. The captain determined that their only safety lay in putting the steamer about and letting her go with the wind. All the passengers were ordered into the ladies' cabin on the main deck, which theretofore had been occupied by the Cash family alone, as the captain, Samuel Moody, who was a thorough salt-water sailor, was afraid the gale would carry away the upper works when she came around broadside to the wind. There was a door in the center of each side of the cabin, and as the steamer came round the seas washed through these doors till

the water in the cabin was knee-deep, first on one side and then on the other, as the boat rolled.

Young Daniel was very seasick for hours; but he remembers feeling very sorry for a cat and her three little kittens which were being washed helplessly from one side of the boat to the other. When the water came onto the side where they were the old cat would rapidly seize the kittens one after the other and remove them to the side that was out of water. Then as the boat rolled again she would repeat the performance.

A large portion of the boat's cargo was jettisoned, or used up for fuel; the machinery broke down; pumps gave out, and fires were drowned. All gave up for lost, but the steamer finally drifted in behind Slate island, a small island near the north shore of the lake, where they remained nearly a week. Daniel's father, who was a skillful machinist, repaired the machinery and pumps, and it was largely owing to his efforts on that occasion that he was enabled with his family to reach their destination.

After leaving Slate island the steamer made for Copper Harbor. The vicinity of that port was reached at night, during another snow-storm. There were no light-houses on the lake during those days, and the settlers, who had been keeping up a large fire on the beach for more than a week to guide them on their expected arrival, had given them up for lost and had built no fire that night. It was a bleak, rocky shore, and while the captain was feeling his way along and trying to attract the attention of those on shore the

steamer suddenly grated on a reef, slewed around and floated into the still water of the harbor, stern foremost.

Finally, the mouth of the Ontonagon river was reached, on the fourteenth of November, during another snow-storm; and it was left to Mrs. Cash to say whether she would attempt to go ashore in a bateau or remain on board until the storm went down. She decided to take the chances of getting once more on dry land. It was a hazardous attempt; the little boat shipped water at every sea; the surf was running so high on the bar at the mouth of the river that they could not run inside; and it was determined to beach the boat, which was done. One of the gentlemen assisted Mrs. Cash, while Mr. Cash took his daughter under one arm and his son under the other and carried them ashore. As soon as the family reached a point of safety the officers of the steamer fired the boat's cannon, as they had promised to do if they ever saw Mrs. Cash safe on land after that three weeks' trip.

Young Daniel was seasick during nearly all of the trip; but that cured him for all time, as he has never had that sickness since, although he has ridden through many heavy seas on both fresh and salt water.

The new home of the family was on the bank of the river, one mile from the lake. The land was heavily timbered, but the soil was fertile, and in a few years the father had a very beautiful farm extending for over a mile along the banks of the stream, which was there about forty rods wide. The mother had, by persistent

and untiring efforts, succeeded in beautifying the five acres immediately surrounding their house with an orchard, flower gardens, trees and shrubbery that would have been a credit to a far more southern clime.

During the first ten years of their residence at Ontonagon, the father engaged principally in mercantile business and in transporting freights and copper on the Ontonagon river from the copper mines on the ranges south of Ontonagon; and, in such business, used large keel-boats of his own make and a small steamboat which he had built in Cleveland. This would tow several of the keel-boats at a time as far as the rapids in the river and from there on to the landings of the different mines; they were poled up the rapids by crews of ten or twelve men.

Up to the time that the son reached eight years of age his parents taught him and his sister at home, and they were then sent to attend school in Cleveland. Daniel remained there two years, living with Captain B. G. Sweet and wife, a great-aunt and uncle on his mother's side. During that time he attended the Vermont Street school, a small one-story brick building, and afterwards went to the Pearl Street Grammar school when that building was finished. At the end of two years his parents came to Cleveland and remained there three years and then they all returned to Ontonagon, which now afforded some school privileges.

Daniel remained at home working on the farm and in the garden and going to school until he was eighteen, when he went to Ann Arbor, Michigan, and at-



tended one year in the Union school, preparing to take a literary course in the Michigan university. At the close of the term, in the spring of 1862, he returned home, expecting to go back and be examined for admission to the university at the opening of the next term.

Living, as he always had, close to the water, the young man was an expert swimmer, and excelled in rowing, fishing, hunting and other athletic sports.

On the fourth of August, 1862, the subject of this sketch enlisted with Captain Daniel Plummer, who was raising a company in Ontonagon county, which company was assigned to the Twenty-seventh regiment, Michigan Volunteer infantry, and rendezvoused at Port Huron. The regiment filled up slowly, and another regiment, located at Ypsilanti, was consolidated with it and moved to Ypsilanti. Young Cash was commissioned as second lieutenant of Company A on the tenth of October, 1862. His regiment left the state for the front in April, 1863, and was assigned to the Ninth Army corps, then in Kentucky. They stayed in that state till along in June, 1863, when they were ordered to Vicksburg. After the surrender of that place they went to Jackson, Mississippi, then returned to Kentucky and crossed through Cumberland Gap into East Tennessee. There they remained during the siege of Knoxville and winter campaign of East Tennessee, and in the spring went east and joined the Army of the Potomac when General Grant took command.

Lieutenant Cash was slightly wounded in his left hand at the battle of the Wilderness and took part in the battle of Spottsylvania

Court-House. He had his horse shot under him at North Anna river, and was struck on the plate of his sword-belt at Cold Harbor on June 3, 1864. He then thought his hour had surely come. He was carried off the field, but revived. He took part in the siege before Petersburg and at the mine explosion, and was in command of his regiment and taken prisoner at Reams Station, Virginia, on the twenty-first of August, 1864. He spent six weeks in Libby prison and two weeks in Salisbury, North Carolina, but escaped by breaking out of a car and jumping off train while being taken from the latter place to Danville, Virginia. This took place October 19, 1864.

In company with George W. Huff of the One Hundred and Seventh Pennsylvania regiment, who escaped at the same time, the lieutenant made his way to near Mount Airy, Virginia, where they were recaptured by a squad of cavalry. They had changed clothes with some darkies, and were sent back under guard as spies. They escaped from their guards the next day, and struck a Union settlement they had heard of the day before, where they stayed a week and had a good time. They then made their way across the mountains, and struck the Union lines at Gauly Bridge, Virginia, November 18, 1864.

Lieutenant Cash went to Washington and got leave of absence, and started for home, but the boats had stopped running, and he had to take the stage route overland from Green Bay, Wisconsin, a distance of over two hundred miles. It was a hard trip. There was no snow. He went with the mail-carrier. They had two

bags of oats laid crosswise of one bob sleigh, two more bags of oats laid across these and three mail-bags on top of the whole. The driver and Lieutenant Cash sat on the mail-bags and even then frequently had to hold their legs out straight to keep their feet from going into the mud. They made eighteen miles the first day from four o'clock in the morning till midnight, but he was bound to eat his Christmas dinner at home, as he and Huff had solemnly promised each other they should the night they escaped, and he did.

Lieutenant Cash returned to his regiment, and participated in the final movements before Petersburg, which resulted in the capture of that city and the surrender of Lee. His regiment on the final charge captured the eastern wing of Fort Mahone, and the lieutenant was again slightly wounded, this time in the right side. He was commissioned first lieutenant of Company F, May 1, 1863; adjutant, December 24, 1863; captain, May 5, 1864; brevet major of the United States volunteers, April 2, 1865; major, May 15, 1865, and was mustered out and honorably discharged August 7, 1865.

Immediately thereafter Major Cash, with other members of his regiment who hailed from Ontonagon, embarked for home on the steamer *Meteor*, which on the way up collided with and sunk the ill-fated steamer *Pewabic* in Lake Huron, and the next day herself took fire just as she was leaving the Sault, and was scuttled and sunk in the canal basin, and the veterans of many battles began to think the fates were conspiring to prevent their happy reunion with families and friends.

After a brief visit home, Mr. Cash commenced his law studies at the University of Michigan, and after finishing the course there, studied two years in the office of Newberry & Pond, Detroit, Michigan. Upon the election of Governor Henry P. Baldwin to his first term as governor of Michigan, in 1868, he received the appointment as his private secretary, but before entering upon the duties of the office was called to New York by the serious illness of his father, who was then east on business. Finding there was no hope of his recovery, he gave up his position and wrote home, and steamboat navigation having closed, his sister made the trip overland by stage and came to where he was, and both remained with their father until his death in January, 1869.

In the spring of 1870 Major Cash came to Duluth, where he was city attorney for two years and county attorney for six years. In 1874 he entered into partnership with J. D. Ensign, and they remained together until 1886 as Ensign & Cash, when they associated with them John G. Williams, and changed the firm name to Ensign, Cash & Williams; and the firm still continues as such.

In addition to himself and his sister Agnes, Mr. Cash has brothers living, as follows: Dr. William P. Cash, now of San Diego, California, who was the first white child born at Ontonagon; James Cash and Charles P. Cash, both of Duluth. He had another sister, Olive, who died in childhood, and a brother, John F., who was burned to death by the explosion of a powder-house when he was five years old. Mr. Cash was married at Pittsburgh, Penn-

1701





sylvania, October 1, 1872, to Alice B. They have one child, a son, Scott Cash, Scott, youngest daughter of Dr. John who was born June 27, 1875.  
Scott and Margaret Scott of Pittsburgh. CONSUL WILLSHIRE BUTTERFIELD.

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JOSIAH DAVIS ENSIGN.

In the front rank of the attorneys practicing at the bar of Duluth is the subject of this sketch—Josiah Davis Ensign. His grandfather and family were reared in the state of New York; and in Erie county, that state, his father—Reuben Sackett Ensign—was born, and was married in the same county, in 1829, to Mary Griffin.

Mr. Ensign is the younger of two children born of this union; the elder is a sister—Angeline H.—now the wife of Freeman Skinner of Geneva, Ohio. The first-mentioned child (the one of whom we write) was born at Boston, Erie county, New York, on the fourteenth day of May, 1833. His place of nativity is Boston, Erie county, New York. When the son was five or six years of age, his parents removed to Farmington, Trumbull county, Ohio; then to Ashtabula county, in the same state, where he lived with his parents so long as he resided at home.

Until eleven years of age he was educated in the common schools; he then went to Farmington academy, Trumbull county, where he remained over two years for most of the time. In Farmington the young man, when not in school, worked on the farm of an uncle. At the age of sixteen he began teaching in Geauga county, Ohio. From that time until he was twenty-two years of age, he taught winters and part of the time the year round. He

then went to Jefferson, Ashtabula county, Ohio, where he commenced reading law in the office of Chaffee & Woodbury. In the spring of 1856 the auditor of the county resigned, and he was appointed to fill the unexpired term—a little less than a year.

In September of 1857 Mr. Ensign was admitted to the bar at Jefferson, and in October, 1857, was elected clerk of the court of common pleas, serving two terms of three years each. He was then (as now) a Republican. It may be said that he almost breathed the anti-slavery air with his first breath; and he retains, as he claims, the political status of his youth. In 1858 he was married to Kate A. Jones, daughter of Colonel Lynds Jones of Jefferson.

After the expiration of his term of office, Mr. Ensign went into the practice of the law in Jefferson, forming a co-partnership with his old school-mate and friend, Stephen A. Northway. The firm continued until 1869. His wife died on the fourth day of September, 1868, leaving two girls, one six, the other eight years of age—both of whom are now living. The youngest is the wife of James C. Hunter of Duluth. In the spring following, his home being broken up by death, he made up his mind to go west. He offered his partner to ship their books to any one of six places (naming them) and the two

would go together. St. Paul, Minneapolis, Des Moines, Duluth, Omaha and one other were the places named; but his partner, feeling timid in the matter, declined, when Mr. Ensign sold his interest in the firm to him; and, in the spring of 1869, went with his two daughters to Rochester, Minnesota, where their mother's brother resided. Here the two girls were left and the father traveled through Minnesota pretty generally, finally reaching Duluth over the old stage road from the end of St. Paul & Duluth railroad, about sixty-five miles out from St. Paul. A mud-hole was struck about three-fourths of a mile from where he left the railroad; and he found a succession of mud-holes from there to Superior, Wisconsin—each one worse than the preceding one. He was three days going ninety miles with from four to six horses pulling the stage.

Mr. Ensign took a ferry from Superior over to Duluth in the midst of a northeast storm (this was early in September, 1869), and he was met on landing by his friend, Mr. J. D. Ray, who took him to his house. He remained in Duluth three weeks, most of the time a northeast storm raging. Duluth was just then being surveyed. The trees had but a short time previous been cut out of Superior street and the stumps and a good many of the logs were still there. It was muddy and water was everywhere. The principal settlement was down on Minnesota Point. Mr. Ensign was delighted with the people but thoroughly disgusted with the town, and was very glad his old law partner had not come on with him—at least to Duluth, where he stayed three weeks. He then took a steamer to Mar-

quette, Michigan, and went thence by rail to Rochester, Minnesota.

Soon after this he returned to Ohio with his children and remained there until February, 1870, when he went again to Rochester, Minnesota, and what is strange, in ten days again started for Duluth—arriving there on the twenty-fourth of February, in company with General Sprague, who went there to take the management of the North Pacific railroad, the construction of which had just been commenced.

Mr. Ensign had a pecuniary interest in the Portland division of Duluth, and it was resolved by those concerned to change its plat to better conform to the rest of the town. In order to do this it was necessary that all the owners convey their interest to one person and the latter reconvey to the others according to the new plat. Mr. Ensign was chosen to take that trust. He accepted, supposing he could finish the business in six months, but it took him a year. Meanwhile he began the practice of the law and got interested in various matters of business, and concluded to remain in Duluth.

In the spring of 1870, Edward C. Wade (a nephew of Ben. Wade) came to Duluth, and Mr. Ensign took him in partnership, but the roughness of the country was too much for him. He got homesick and returned to Ohio in June.

Mr. Ensign continued his business alone until 1872, when O. P. Stearns came to Duluth from Rochester, Minnesota, when the firm of "Ensign & Stearns" was formed, which lasted until the latter was appointed judge.

After Judge Stearns went upon the

bench, Mr. Ensign continued his law practice alone until 1874, when he formed a partnership with Daniel G. Cash, under the firm name of "Ensign & Cash." Afterward, the firm was increased by adding, January 1, 1886, John G. Williams, and the firm name was "Ensign, Cash & Williams," which still continues and is one of the leading firms of Duluth.

On the nineteenth of November, 1872, Mr. Ensign was married to his second wife—Rose Watrous of Bay City, Michigan. There is one child of this marriage—Kate W., born August 28, 1879.

The subject of this sketch has several times held office. He served one term in Ashtabula county, Ohio, as prosecuting attorney, and one term in Duluth. He has been mayor of Duluth two terms, and one term president of the city council. He has also served upon the school board of the city. He was a candidate in 1880 for the state senate, but was defeated by a small majority. His parents—his father

being a physician—are living and are still residents of Ashtabula county, Ohio.

Mr. Ensign, as a lawyer, ranks high in his profession. He owes this largely to the thoroughness with which he studies every case entrusted to his management. He is never satisfied until he has thoroughly examined and studied every question of law that can possibly arise in a case and collected and collated all the evidence to be had bearing on the facts. The result is, that when he tries a case he tries it for all there is in it. In addressing a jury his manner is pleasing, and he always impresses a jury as being honest and candid, which gives additional weight with them to his arguments. With these qualifications, he has maintained a standing among the most successful members of the bar where he has practiced, and the firm of which he is the senior member is now doing a very large and lucrative business.

## EDITORIAL NOTES.

THE Chicago Historical society enumerates, among its accessions for the last quarter, eleven photographic views of old buildings in and adjacent to the old village of Kaskaskia. This statement of fact suggests a field of active and serviceable labor for the amateur photographer. Every historical society in the country might thus be enriched with reproductions of historical buildings and old landmarks that will have altogether disappeared in a decade.

At the quarterly meeting of the Chicago society, held on January 15, a paper of unusual value, upon "Some of the First Citizens of Chicago," was read by Honorable Edward G. Mason.

THE paper prepared by Henry Howe, author of 'Howe's Historical Collections,' 'The Great West,' etc., to be read at the recent annual meeting of the Ohio Archæological and Historical society, upon "My Tour of Ohio, 1840-1846," embodies one of the most interesting personal experiences given in any time to any citizen of the west now living. There was a time when Mr. Howe's books were among the few to be obtained upon the new west, and in the lines of both information and entertainment, afforded a view of home history not to be otherwise obtained. There are men all through the west, far less advanced in years than Mr. Howe, who filled in many useful hours in poring over the 'Collections' and 'The Great West' away back in boyhood's days; at a time, too, when books were few, and most histories extant were dry reading. The writer recently passed some time in Mr. Howe's company, and in his recital of his personal experiences in out-of-the-way nooks of the west, saw much that Mr. Howe was almost in duty bound to preserve. We are heartily glad to learn that he has been pleased to attempt such preservation,

and hope that the above-described paper will be followed by others of a like character.

THE Filson Club of Kentucky still perseveres in its good work, and has issued yet another of its promised publications. The four now published are, No. 1, 'The Life and Writings of John Filson, the First Historian of Kentucky.' By Reuben T. Durrett, president of the Filson club. This is a finely told story of the checkered life and melancholy death of him who first attempted the history of Kentucky, and consists of original matter from sources deemed non-existent until the author brought them forth in his charming work. It contains a *fac-simile* of Filson's map of Kentucky, the first map ever made of this region. No. 2, 'The Wilderness Road.' By Thomas Speed. This book is a description of the routes by which the pioneers came from other states to Kentucky. It contains original journals, itineraries and accounts of dangers and hardships along those routes of travel. No. 3, 'The Pioneer Press of Kentucky.' By William H. Perrin. This work gives the history of the newspapers of Kentucky from the first number of the *Kentucky Gazette*, printed at Lexington, August 11, 1787, to the establishment of the *Daily Press* in Louisville in 1830. No. 4, 'The Life and Times of Honorable Caleb Wallace.' By Rev. William H. Whitsitt. Mr. Wallace was for years one of the judges of the Kentucky court of appeals, and prominently connected with the important events of pioneer history. He was an important factor in the movement for religious liberty in Virginia, and for the establishment of colleges and schools in Kentucky, and his connection with these great questions of religion and education impart a charm to his biography that all will appreciate.

In a recent address, delivered by Honorable Francis C. Sessions, one of the most valued



of our contributors, utterance was given to certain truths in explanation of the relation of an historical society to the interests of the general public, that will bear reproduction and preservation. The extracts from that address, that follow, are culled here and there without an attempt at a direct following of his theme. He said:

"The gathering and make-up of a library and museum are essentially the work of a state historical society. Such a society, composed of members in all parts of the commonwealth, constantly secures works that bear on the political, historical, material, social and economical questions of the day, and hence receives the friendly aid of hundreds of citizens, who could not, in any other way, be interested. The collection of the society becomes the property of the state, and hence it is always giving more than it receives.

"The best example of any state is that of Wisconsin. That library was founded in 1848. About ten years ago the influence of the State Historical Society of Wisconsin was secured, and by the help of generous aid on the part of the state, judiciously managed under a system not subject to political or other changes, there is now in Madison a library and museum the equal of which can not be found anywhere. Kansas has shown great advancement under a somewhat similar system. In Wisconsin there is a remarkable collection of pamphlets relating to the late Civil war, hardly equaled in the country, and is comprised in many bound volumes, each carefully indexed. We also hear there has been placed in this library a complete collection of pamphlets, books and newspaper clippings relating to the 'tariff question'—a complete tariff library, so to speak. Such collections show wise forethought, and preserve the very essence of current literature, embodying the economical, historical and political

questions of the day. The report of the Kansas society's work in the library for the year 1887 shows, 'periodicals, 1,007; single newspapers and newspaper cuttings containing special historical material, 269; maps, atlases, etc., 60; manuscripts, 228; pictures, 170; miscellaneous contributions, 51; script, currency, etc., 5. Thus it will be seen that the library additions of books, pamphlets and newspaper files during the year number 3,413 volumes. But note: of these, 3,188 have been procured by gift and but 225 by purchase.'

"It might be asked, and coming from persons who may have given the subject no special attention, they might seem proper questions, What is the necessity of a state historical society and a state historical library? Why has the Historical society grown up at all? To these questions it might be answered in brief that the state of Ohio has done very little toward gathering the materials and memorials of a peculiarly interesting and eventful pioneer history; a work which the intelligence of the present age pronounces as worthy of being done by any state, no matter how uneventful and commonplace may have been its founding—a work, indeed, which all intelligent citizens deplore the omission as a calamitous loss, and it is a work which all experience shows is never likely to be well performed except through a voluntary organization specially made for the subject and composed of that class of appreciative citizens who, whether prompted by pride of their own doings, or by a desire to do something for the benefit of future generations, are willing to supplement whatever the state may do in this behalf with no little gratuitous labor and sacrifice on their part. And, as we have shown, the making of a library is an appropriate and essential work of an historical society."

## AMONG THE BOOKS.

'THE PEOPLE'S HISTORY OF PRESBYTERIANISM IN ALL AGES.' By Robert P. Kerr, D.D., author of 'Presbyterianism for the People.' Published by the Presbyterian Committee of Publication, Richmond, Virginia.

This volume has been prepared with the design of placing within the reach of everyone a brief history of Presbyterianism at a small cost to the reader of both time and money. It amply and ably fulfills its purpose, giving a clear and complete outline of the record and principles of the great branch of Protestantism of which it treats. All that anyone need know to be fully acquainted with that history has been tersely, fairly and compactly presented, and we do not know of any work that attempts to so thoroughly cover the whole ground in the space of a single volume.

'ZACHARY TAYLOR, MILLARD FILLMORE, FRANKLIN PIERCE AND JAMES BUCHANAN.' By William O. Stoddard, author of 'George Washington,' etc., etc. Published by Frederick A. Stokes & Brother, New York. Received of the Burrows Brothers Company, Cleveland.

'GROVER CLEVELAND.' By William O. Stoddard. Published by Frederick A. Stokes & Brother, New York. Received of the Burrows Brothers Company, Cleveland.

This series of the lives of the Presidents well deserves the popularity it has achieved and has justified the enterprise of the Messrs. Stokes in planning and producing it. The work of Mr. Stoddard has been faithfully and intelligently performed, and the result is an immense amount of information, graphically given, in a little space. Those who desire the salient features of our country's history, with the personal lives of the Presidents, will find the desired results in this series of illustrated and beautifully bound works.

'ON HORSEBACK: A TOUR IN VIRGINIA, NORTH CAROLINA AND TENNESSEE, WITH NOTES OF TRAVEL IN MEXICO AND CALIFORNIA.' By Charles Dudley Warner. Published by Harper & Brothers, New York. Received from the Burrows Brothers Company, Cleveland.

Mr. Warner always takes his reader with him—almost bodily, if the expression may be allowed—whether on the Nile, in the Levant, or in the Wilderness. The main features of description are so filled in with little points of observation and comment that the reader sees as he goes and understands as he reads. In this work all the grace and charm of the writer's early works are preserved, and although much of the ground he crosses has been well covered before, he goes over it in a new manner and sees countless things the throng passes by. There is a great deal of solid information, of one kind or another, packed away in this little book.

'JESUS BROUGHT BACK: MEDITATIONS ON THE PROBLEM OF PROBLEMS.' By Joseph Henry Crooker, minister of the Unitarian church, Madison, Wisconsin. Published by A. C. McClurg & Co., Chicago.

The very able paper upon "John Wise, the forgotten American," from the pen of Mr. Crooker, that appeared in these pages some months since, is evidence of his ability as a writer, and the carefulness of his statement and treatment of a subject upon which he may be moved to write. His work above mentioned is an able contribution to modern religious thought, and has been well described as "an attempt to give a concise statement of the results of modern scholarship respecting the origin of Christianity, together with an estimate of the character of Jesus, and his relations to the life of to-day from the stand-point

of appreciative rationalism." The aim of the book is stated to be "to give intelligent and earnest inquirers some of the most important results of recent scholarship, and to set forth an interpretation of the character and teachings of Jesus which will make him more attractive and his Gospel more powerful in human lives." One of its many valuable features is a very carefully prepared list of authorities—not a mere list of works on the general subject, but a classified bibliography with definite references.

'READINGS FROM THE WAVERLY NOVELS.' Edited for school and home use, by Albert F. Blaisdell, A. M., author of 'The Study of the English Classics,' and many similar works. Published by Lee & Shepard, Boston. Received from the Burrows Brothers Company, Cleveland.

The selections have been made with great care, and form a series of readings well fitted for the purpose for which they were intended. The work is designed to serve as an introduction to Scott, and to aid the pupils of our schools. Directions and suggestions for further reading have been supplied in the introductory pages.

'THE LIFE OF BENJAMIN F. WADE.' By A. G. Riddle, author of 'The Life, Character and Public Services of James A. Garfield,' 'Students and Lawyers,' etc. Published by the Williams Publishing Co., Cleveland, Ohio.

Mr. Riddle's preparation for this work, by acquaintance of an intimate nature with his theme, by a keen appreciation of the moulding circumstances amid which the character of Benjamin F. Wade was formed, and by an unusual literary skill, is such that no better biographer for the stalwart Ohio senator could have been discovered. As Mr. Riddle says in his introduction, the early chapters of his work appeared in this publication, while the present is an enlarged, revised and greatly improved edition of a work of the same name

some time since published by the house whose imprint it bears. While in all the essential features we are given a full view of the personal, political and congressional life of Mr. Wade, we are given more. Mr. Riddle watched and understood, as few men did, the great struggle against slavery, in which Wade was one of the leaders, and out of his personal interest and part therein, tempered by matured reflection and the after-thoughts of a quarter of a century of retrospection, he has evolved a picture of the desperate days between 1850 and 1870 that would be difficult to match for force, terseness and analysis of purpose and results, a picture that becomes all the stronger because it is incidental and not made the main thread of his theme. Mr. Riddle has produced not only the standard life of Wade, but has made a worthy and permanent addition to two classes of literature—that which touches upon the life of the great west in the early days, and that which refers to the great struggle for human liberty in which Senator Wade bore so conspicuous a part.

'TRAVELERS AND OUTLAWS: EPISODES IN AMERICAN HISTORY.' By Thomas Wentworth Higginson, with an appendix of authorities. Published by Lee & Shepard, Boston. Received from Burrows Brothers Company, Cleveland.

Mr. Higginson is one of the leading American essayists, and in these papers, reprinted from the Century, Atlantic and Harper's, he has taken something of a new departure, and has chronicled some unique episodes that are not only worth preserving in themselves, but have an added value from the charming manner in which they are described.

Pamphlets and other minor publications received as follows:

'EXTREMES IN ALTITUDE IN SOUTHERN CALIFORNIA.' By Walter Lindley, M. D., Los Angeles.







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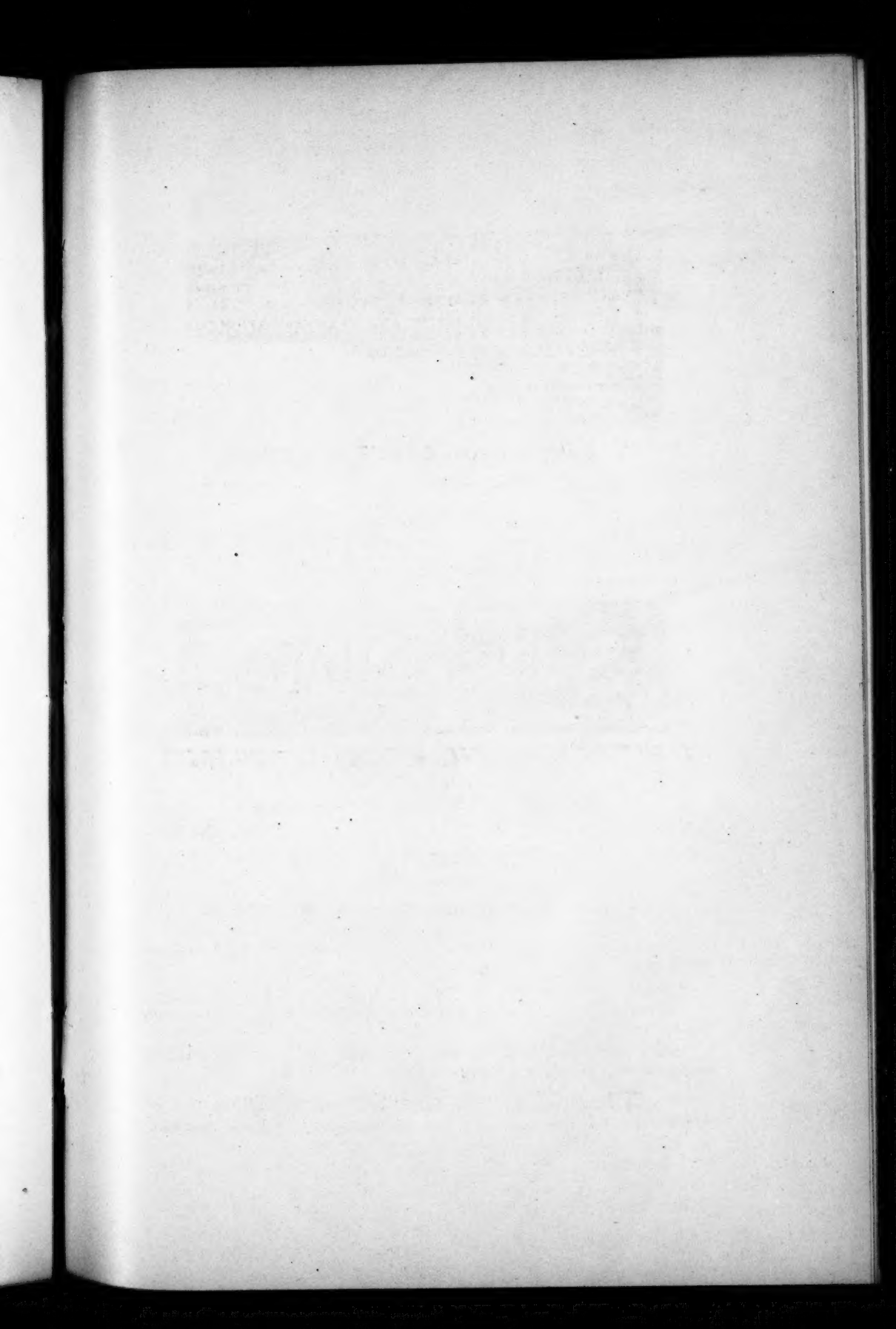
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